

ORIGINAL

UNITED STATES

CONSUMER PRODUCT SAFETY COMMISSION

TRANSCRIPT OF PROCEEDINGS

HEARING All-Terrain Vehicles

DATE September 3, 1985

PLACE Performing Arts Center, Milwaukee, Wisconsin

TIME 9 05 a m

REPORTER ANDREA PIETERICK

Court Reporting Offices of  
RICHARD E PEPPEY REPORTING CO , INC611 East Wisconsin Ave  
Milwaukee, WI 53202  
(414) 273-7308**UNEDITED**

## A P P E A R A N C E S

TERRENCE M SCANLON, CAROL G DAWSON and LEONARD  
DeFIORE appeared on behalf of the Consumer Product Safety  
Commission

## T A B L E O F C O N T E N T S

<u>PANEL</u>	<u>PAGE</u>
Senator Kasten	9
1	22
2	36
3	70
4	87
5	129
6	151
7	185
8	226

1           MR SCANLON   Welcome, ladies and gentlemen, to the  
2   fourth in a series of five public hearings being held by the  
3   U S Consumer Product Safety Commission on all-terrain  
4   vehicles, ATVs   It is a pleasure to be here in Milwaukee  
5   today to receive testimony from Senator Bob Kasten and all  
6   the other witnesses who will be appearing before us   Our  
7   whole purpose is to hear firsthand, from people who have an  
8   interest in ATVs, whether or not you think they are dangerous  
9   And, if so, what you think should be done to make them less  
10   so

11           By the way of background, recent projections indicate  
12   that ATV-related injuries have risen from an estimated 8,585  
13   nationwide during all of 1982 to an estimated 52,000 for the  
14   first six months of 1985   Moreover, the CPSC is aware of at  
15   least 233 deaths related, in one way or another, to the use  
16   of ATVs   Regrettably, there have been 22 ATV-related deaths  
17   right here in Wisconsin since 1982

18           Unquestionably, the rapid growth of ATV sales account  
19   for some of this increase in injuries and deaths   Nearly  
20   three-quarters of a million ATVs are expected to be sold this  
21   year, bringing to 2 5 million the number of ATVs in use   But  
22   there is more to it than that   For instance, 23 2 percent of  
23   those killed have been children under 12, and 49 8 percent  
24   were children under 16   These figures suggest that, contrary  
25   to what some may believe, a three-wheeled ATV is not just

1 another tricycle that anyone can hop on and ride without the  
2 benefit of some instruction

3 Speaking of training, our studies to date have  
4 revealed that roughly 16 times as many ATVs will be sold this  
5 year as people will be trained by the industry to ride them  
6 This, to my way of thinking, is a real problem, especially  
7 since the ratio doesn't take into account the fact that ATV  
8 owners often allow other people, likewise untrained, to ride  
9 their machine Something has to be done, and quickly, to  
10 close the gap between the pool of people needing ATV training  
11 and the ATV training that is currently available There are  
12 several ways to close that gap Including training in the  
13 purchase price of the ATV is one And I hope those working  
14 on the voluntary standard will give them the most serious  
15 consideration Without proper ATV training, and more of it,  
16 the injury and death toll will be difficult to reduce,  
17 regardless of whatever else may be done

18 Now for the good news I am happy to report that the  
19 CPSC's ATV action plan is well underway and going strong  
20 Telephone checks on over 300 recent ATV-related accidents  
21 have already been completed Engineering work, testing ATVs  
22 over a variety of terrains, has begun, and more tests are  
23 planned A detailed study of the capabilities of children of  
24 various ages in relation to ATV usage has been completed, and  
25 record progress has been made with respect to a voluntary

1 standard on ATVs

2 A draft of this standard, which deals with age labeling,  
3 training and standardization of controls, has been submitted  
4 to the American National Standards Institute approved canvass  
5 list for comment. Once the comments have been received,  
6 which should be in 30 days or less, the stage will be set for  
7 formal submission of the standard to ANSI for approval. If  
8 all goes well, that would mean a voluntary standard could be  
9 in place by October or November of this year, quite a  
10 contrast to the 12 to 18 months the process normally takes.  
11 Of course, the significance of that will depend, as I  
12 suggested earlier when discussing training, on the final  
13 wording of that standard. But at the very least, its rapid  
14 evolution is good news. So, too, is the indication that  
15 language on performance characteristics will be added at a  
16 later date.

17 As for the possibility of other corrective measures,  
18 right now it is simply too early to say what might or might  
19 not be appropriate. For instance, we certainly do not have  
20 the data at this point to justify a ban on ATV sales or a  
21 recall of those ATVs already in use. But, on the other hand,  
22 if the results of studies indicate that the remedies proposed  
23 in the voluntary standard are inadequate, then additional  
24 steps may be necessary. In any event, we expect that the  
25 results of our ongoing investigations will enable us to

1     develop a preliminary ATV injury analysis within the next six  
2     months and to have final recommendations ready by September  
3     30 of next year

4             At this point, I would be remiss if I did not mention  
5     that the input provided at these public hearings has been and  
6     will be most helpful to us in this process     My thanks to all  
7     who have participated in the past and who are participating  
8     today     Your time, experience, interest and expertise are  
9     most appreciated

10            At this time I would like to introduce my colleague,  
11     Commissioner Carol Dawson     Carol?

12            MS   DAWSON     Thank you, Mr   Chairman     I am  
13     delighted to be here in this great city of Milwaukee

14            I join in welcoming you to this hearing, Senator  
15     Kasten     I compliment you on your concern about this very  
16     important issue     As you know, Senator, Wisconsin has had one  
17     of the higher death rates associated with ATV use     At the  
18     same time, many residents of this state and other Midwestern  
19     states continue to enjoy ATVs, both because of their utility  
20     and their recreational value     In your dual role as senator  
21     from Wisconsin and chairman of the Senate Consumer  
22     Subcommittee, you have a unique vantage point from which to  
23     address the ATV issue, and I look forward to hearing your  
24     testimony

25            I also welcome each of you who has taken the time to

1 be here this morning This hearing is an essential part of  
2 the Consumer Product Safety Commission's study of all-terrain  
3 vehicles It is important that, as we study the underlying  
4 causes for the deaths and injuries associated with ATVs, we  
5 get firsthand information from you, the users, the dealers,  
6 the medical and law enforcement professionals, and others who  
7 are involved with ATVs on a regular basis

8 This is the Commission's fourth public hearing on ATVs  
9 Through these public forums we have obtained much useful  
10 information about these unique vehicles Whatever the  
11 Commission ultimately decides to do about ATVs will be  
12 determined in a significant way by what you and others at  
13 similar hearings have to say

14 Let me emphasize that, regardless of what you may have  
15 read or heard, the Consumer Product Safety Commission has not  
16 made a decision on how best to address the ATV situation We  
17 are engaged in a broad-based study of the matter, including  
18 engineering studies, reviews of accident records, and  
19 testimony from people such as you who have experience with  
20 ATVs No decision will be made until we have reviewed that  
21 information

22 As for myself, let me assure you that I come here  
23 today with an open mind I am a mother of four and thus  
24 recognize the concerns that any parent would have about their  
25 children riding these motorized vehicles I have taken the

1     ATV training course offered by the industry in order to  
2     better understand the ATV's unique handling characteristics  
3     I have attended these public hearings to learn about users'  
4     experiences     I have reviewed the agency's test data as it  
5     becomes available     In short, I have tried to get as much  
6     input as possible in order to understand the scope of the  
7     problem, and I will continue to do so before making a final  
8     decision     Throughout my deliberations, I am guided by the  
9     view that we should use the least drastic means of federal  
10    intervention necessary to protect the consumers from the risk  
11    of needless injuries

12           Regardless of our individual viewpoints, all of us on  
13    the Commission seek to serve and protect the American  
14    consumer     You can help us do that by your testimony today  
15    I again thank you for being with us, and look forward to  
16    hearing from each of you

17           MR   SCANLON     Thank you, Commissioner Dawson

18           The Commission is most pleased and honored that the  
19    distinguished senator from Wisconsin, Bob Kasten, will be our  
20    lead-off witness     Senator Kasten chairs the Senate  
21    subcommittee on consumers which has the Consumer Product  
22    Safety Commission, and hence all-terrain vehicles, within its  
23    jurisdiction     As chairman, the Senator has done an  
24    outstanding job, and we very much look forward to hearing  
25    what he has to say this morning

1           It's a pleasure to have you here, Senator

2           SENATOR KASTEN   Commissioner Scanlon, Commissioner  
3   Dawson, as I begin, I think we have kind of reversed roles  
4   Usually you're sitting here, and I'm sitting there   So I  
5   appreciate the opportunity to be here

6           But first of all, welcome to Wisconsin   And I thank  
7   you very much for putting Wisconsin on your list of hearing  
8   places because I think it's very important that people from  
9   Wisconsin have the opportunity to participate in the  
10   deliberations that both of you described   I am pleased to be  
11   here this morning for really two reasons   First, to welcome  
12   the Consumer Product Safety Commission back to Milwaukee and,  
13   second, to thank you for holding this hearing on all-terrain  
14   vehicles, or ATVs

15           As the chairman of the Consumer Subcommittee of the  
16   U S Senate Commerce Committee, I have followed the  
17   development of this issue for some time, both in my role as  
18   chairman of the Consumer Subcommittee and also in my role as  
19   senator from the state of Wisconsin, because, as you have  
20   described, we have had some very alarming statistics with  
21   regard to deaths and injuries on ATVs   Frankly, the rising  
22   statistics of deaths and injuries associated with ATV use is  
23   truly alarming   At least 233 deaths related to ATV use  
24   nationwide have been documented since 1982   Injuries have  
25   risen by more than 600 percent during that time   And I might

1 point out these are reported injuries Who knows how many  
2 injuries that go unreported from the use of ATVs Right here  
3 in Wisconsin, Mr Chairman, as you pointed out, we have  
4 suffered the second highest death toll in the country from  
5 ATV use At least 22 Wisconsinites have been killed,  
6 thousands have been injured in the past three and a half  
7 years

8 As many of you know, the tragic aspect of these grim  
9 statistics is the fact that so many of the deaths and  
10 injuries associated with ATVs are suffered by young people  
11 According to the data that you have cited, almost a fourth of  
12 those killed are under 12 years of age, and nearly half are  
13 under 16 The stories of the tragedies across the state of  
14 Wisconsin abound A 13-year-old boy from Verona whose ATV  
15 struck a six-inch dip in an open field at 25 miles an hour,  
16 caused him to strike the front handlebar and caused fatal  
17 internal injuries A 14-year-old Medford girl died after her  
18 ATV flipped on a gravel surface and struck her in the head  
19 A 36-year-old man from Marinette whose ATV slid off the ice  
20 into open water during an ice fishing trip Not only was he  
21 drowned, but his four-year-old son who was riding with him  
22 drowned as well

23 The list goes on and on These are indeed grim  
24 statistics Clearly the time has come to find out what is  
25 causing this extraordinary toll of tragedy and what might be

1 done to reduce it substantially

2 I realize, Mr Chairman, that finding workable  
3 solutions to the problems surrounding ATVs is going to take  
4 some time But, frankly, we've got to move and act as quickly  
5 as possible This CPSC hearing and the others that you have  
6 held will gather much of the information necessary to  
7 formulate positive steps to address this problem But I want  
8 to point out that time is of the essence We simply have got  
9 to move forward in terms of dealing with this problem

10 I was pleased to see the CPSC adopt the Seven Point  
11 Plan on ATVs last April, and I commend you, Mr Chairman, for  
12 that effort In addition to soliciting valuable input from a  
13 wide variety of affected parties, it calls for the  
14 acquisition, now underway, of the engineering, the human  
15 factors, medical and usage data that's essential if informed  
16 conclusions are to be made

17 In addition, I believe the work being done on the  
18 voluntary industry standard should be strongly encouraged I  
19 would change that, must be strongly encouraged The  
20 voluntary industry standard I think is crucial Getting the  
21 cooperation of the manufacturers is essential in this process  
22 And the industry has already embarked on safety campaigns  
23 involving literature and safety guides Also instituting  
24 rider training programs and public service announcements for  
25 radio, TV and also for trade magazines

1 I am pleased that the preliminary draft of the  
2 voluntary standard addresses a number of key questions that  
3 have been brought up in discussions that I have had with  
4 people here and also that we are receiving back and forth, in  
5 contacts from constituents, things such as age labeling,  
6 training, and particularly the standardization of controls  
7 It's my hope that the American National Standards Institute  
8 will be able to approve a final draft of this standard in the  
9 near future Of course, a lot of this is going to depend on  
10 the final language of the standard But its rapid evolution  
11 I believe is good news, and once again demonstrates that the  
12 1981 amendments to the Consumer Product Safety Act, which  
13 originally called for voluntary standards, are working as we  
14 in the Congress intended

15 In terms of looking for long-term solutions to the  
16 problems associated with ATV use, I am especially interested  
17 in seeing an increased emphasis on training I commend the  
18 Commission's attention to the leadership that our state, the  
19 state of Wisconsin, has taken in passing legislation aimed at  
20 seeing a greater emphasis in supervision and training,  
21 particularly for younger ATV users Beginning in July of  
22 next year, Wisconsin will require that all persons under 12  
23 years of age be accompanied by an individual 18 years or  
24 older to operate an ATV Anyone 12 to 16 years must pass a  
25 safety course and receive a safety certificate to ride an ATV

1       alone     This measure adds our state to the list of those that  
2       are beginning to look into the problem with an eye toward  
3       preventive action

4               And it is my hope that any action the CPSC decides to  
5       take on this issue will compliment the kind of state-initiated  
6       action that we in Wisconsin are taking     I think if we come  
7       in at cross purposes, with some kind of federal legislation  
8       that overrides or changes or is in controversy or is in  
9       conflict with the state action that a number of states are  
10      taking, I think that we would not be serving a useful purpose  
11      So anything that we do on the federal level I am hopeful will  
12      compliment the kind of state-initiated action that the state  
13      of Wisconsin is taking

14             Mr Chairman, as encouraging as these developments may  
15      be, I think it's important to note in conclusion that they  
16      may not be all that is necessary to address this problem  
17      The very fact that half of the ATV-related accident  
18      fatalities were children under 16 warns against such  
19      premature conclusions

20             Once again, Mr Chairman, I commend you and the  
21      Commission for the work that you are doing on this issue,  
22      particularly for holding these hearings     And as chairman of  
23      the Consumer Subcommittee, I look forward to continuing to  
24      work closely with you as we attempt to alleviate this  
25      important problem     Thank you for the opportunity of

1       testifying before you today

2               MR SCANLON    Thank you, Senator, very much    We  
3       certainly appreciate your interest    I might add that I find  
4       it much more comfortable being on this side of the table    I  
5       can get used to this

6               Senator, let me ask you this    I wanted to commend you  
7       for two things, especially    One is, as one of the authors of  
8       the 1981 amendments to the Consumer Product Safety Act, you  
9       should feel proud    Because the activity that is now going on  
10      with the ATV voluntary standard never would have happened or  
11      would not have been moving as fastly as it is if we had not  
12      had those amendments to work with    So I commend you for that

13              Also, I commend you as a Wisconsinite for the -- for  
14      representing the state which is one of the first states to  
15      enact legislation requiring training of children prior to use  
16      of an ATV

17              I do have a question for you    In your position as  
18      chairman of the Consumer Subcommittee in the Senate and as a  
19      representative of the state, what feedback have you received  
20      from ATV users locally?

21              SENATOR KASTEN    Well, Mr Chairman, this is an  
22      issue that I think is without question of growing concern to  
23      a broad group of people across the state of Wisconsin    We  
24      have been receiving increasing correspondence on ATVs    We  
25      have been receiving it at different office hours, more and

1 more people who are concerned And, frankly, the concern is  
2 coming from a number of different directions If you will, I  
3 could say that we are hearing from all sides of this very  
4 complex issue

5 There are a number of people that I think can come  
6 together in terms of the concern overall of the safety  
7 factors involved A number of people, I would say the  
8 overwhelming majority of people, are greatly concerned about  
9 the growing industry, about the statistics, as we see  
10 articles in the papers, as we learn more and more about this  
11 On the other hand, I've got to say that there are a number of  
12 people, particularly in the northern and western part of this  
13 state, who are not in favor of stricter government regulation  
14 So I think our job is to strike a balance, if you will

15 There are also some people -- and this is not an issue  
16 that you're going to address directly, but I think it's an  
17 issue that we have to address in general -- a growing number  
18 of people who are concerned about the environmental aspects,  
19 the environmental concerns of the ATVs It's similar to the  
20 problems we had with snowmobiles at one time, and that now is  
21 starting to balance itself out But there are a number of  
22 environmental concerns that are not really within your  
23 jurisdiction, but frankly end up in mine because we end up  
24 with the broader picture

25 I think that there is merit to all these different

1 views Something has got to be done to try to prevent the  
2 kind of accident statistics that we are now seeing with ATVs  
3 Yet, frankly, barring some new disclosure of an inherently  
4 unsafe aspect of one of these vehicles, I don't believe that  
5 the Government should come in with a blanket ban on the sales  
6 of ATVs I think what we want to do is to deal with the  
7 problem, recognizing these various concerns that we've got to  
8 balance

9 So I am hearing from more and more -- I'm giving you a  
10 long answer to your question, but I'm hearing from more and  
11 more people on all sides of the issue I am not convinced  
12 that the state of Wisconsin wants a blanket ban on the sales,  
13 but I do believe that there is a growing consensus that we've  
14 got to do something about the injury statistics, and most  
15 particularly deal with the problems of younger, untrained  
16 drivers and riders

17 MR SCANLON Thank you, Senator I know you've  
18 been following the activities of the Commission as it relates  
19 to ATVs Do you have any suggestions on anything that we  
20 have not done that we should be doing?

21 SENATOR KASTEN Well, Mr Chairman, I just want to  
22 say that, as chairman of the Consumer Subcommittee, I think  
23 we're going to be looking very closely at how the voluntary  
24 industry standard process works We have been through this  
25 with chain saws, it has worked relatively well We have been

1 through this with lawn mowers, it has worked relatively well  
2 But I think the public attention, in terms of whether we were  
3 right in 1981 when we put together these voluntary standards  
4 -- this is an issue that has grabbed the public's attention

5 I would urge you to work closely with the industry I  
6 know that there are industry representatives who are in the  
7 audience today A number of people are going to be looking  
8 to the industry and looking at this example as to whether or  
9 not the 1981 amendments, in fact, can work If they can work,  
10 this would be used as an example that we can all go back to  
11 and say, "Look what happened The industry did do what was  
12 needed, we were able to work with different states, we were  
13 able to reach, on one standard or -- one level of government  
14 or another, a training standard " But I think that the  
15 voluntary standards that the industry sets, along with some  
16 of the standardization of controls and other efforts that  
17 they are making, I think are going to be very important

18 So I would urge you, as chairman of the Consumer  
19 Product Safety Commission, you and your fellow commissioners,  
20 to do everything you can to be sure that the voluntary  
21 standards which the industry sets up are, in fact, meaningful,  
22 have teeth, solve the problem, and are viewed by the public  
23 as a whole, including key consumer groups -- are viewed as  
24 being able to deal with the problem

25 Secondly, I would just repeat what I said before, that

1 I would urge you to encourage states to follow the lead of  
2 states like ours, which has gone forward with an effort  
3 toward training, and ask that you carefully consider, as you  
4 look at standards or as you look at rules or as you look at  
5 regulations that you might promulgate, carefully consider  
6 that what you do isn't in conflict with what states have done  
7 on their own, to the degree that you can make this consistent

8 So I guess those would be the only two comments  
9 Number one, make sure that the industry standard process  
10 works, and number two, be sure that anything that we do at  
11 the federal level doesn't conflict with what I would look at  
12 as progressive, thoughtful states are doing I wish I could  
13 take credit for the state legislation I can't But I can  
14 certainly commend those who worked on it And I think it's  
15 important that whatever we do at the federal level not be in  
16 conflict with what has happened at the state level

17 MR SCANLON Thank you, Senator And I think we  
18 agree with both recommendations, and we will be sure that we  
19 make sure that that happens

20 Commissioner Dawson, do you have any questions for the  
21 Senator?

22 MS DAWSON Just a general comment I want to  
23 concur in the fine statement Senator Kasten has given us  
24 today And I also want to compliment those in the state of  
25 Wisconsin that have come up with this state legislation,

1     which I understand will take effect next year     I feel that  
2     that probably is one of the good approaches, together with  
3     what this Commission can do

4             You mentioned, Senator, that this is an issue which  
5     has grabbed public attention     I hope you're right about that  
6     I wanted to ask you, though, if your feeling about our  
7     working with industry in connection with voluntary standards,  
8     which is an approach I do support, should include our, as a  
9     commission, getting involved in information programs?     I  
10    myself took the training course which the industry offers     I  
11    felt it was very helpful     I am certainly in favor of  
12    training as one approach     But I also think that informing  
13    the public about the hazards associated with the use of these  
14    vehicles and also the need for training is one critical  
15    function that we, the Commission, can perform     Do you see  
16    a role for the Commission, in cooperation both with  
17    industry and with states like Wisconsin, in the information  
18    area?

19            SENATOR KASTEN     I think there's a key role that  
20    the Consumer Product Safety Commission can play in terms of  
21    demonstrating and bringing forth information to the public on  
22    the problems and on the dangers and on the need for training  
23    on ATVs     And I think that hearings such as the hearings --  
24    this series of hearings that we are participating in today,  
25    along with other information from the Consumer Product Safety

1 Commission, can play a valuable role in terms of bringing the  
2 people's attention to the fact that this isn't a tricycle, as  
3 the chairman or maybe you, Carol, referred to it It's a  
4 complicated, difficult -- I have not taken the training  
5 program I have ridden a ATV It's something that you can't  
6 take lightly And I think that the Consumer Product Safety  
7 Commission, because you've got this national platform, if you  
8 will, has a role to play in terms of bringing forth these  
9 ideas to the public

10 So these hearings, along with whatever other work that  
11 you're going to be doing in terms of talking about the  
12 necessity -- I'd like to think that after this hearing and  
13 after your complete set of hearings is concluded that you  
14 might be able, for example, to use Wisconsin as an example  
15 and say, "Well, when we were working state by state by state,  
16 we discovered a couple of good ideas out there One of those  
17 good ideas is something that Wisconsin has done, and we would  
18 suggest that other states follow in this direction " Now,  
19 I'm not sure that ours is going to be the best But at least  
20 we're taking a step in the right direction I'm not certain  
21 what other states have done, but I do know that we're in the  
22 lead And there may be ways that you, on a national level,  
23 can take the ideas that you gather in this set of hearings  
24 and then make the entire country -- through your information  
25 dissemination process, make the entire country aware of some

1 of the positive steps that a number of states have taken

2 MS DAWSON I agree I think that we do have a  
3 role there to perform as a clearinghouse for information that  
4 we either obtain both from these hearings or from other  
5 sources the Commission has And I would suggest also that in  
6 your unique position, that you have a unique and key role in  
7 terms of people in this state being able to come to you with  
8 suggestions So that if you do receive suggestions, say from  
9 user groups, people that are enthusiasts who are involved in  
10 safety programs on a local level particularly, that you could  
11 share those with us if they do come to you with those kinds  
12 of suggestions

13 MR SCANLON Thank you, Senator, very much We  
14 will take your recommendations under serious consideration  
15 We have done much of what I think you are suggesting and will  
16 continue to do so I might add that Wisconsin is the lead  
17 state in requiring training for users of ATVs

18 SENATOR KASTEN Thank you once again for coming to  
19 Milwaukee I look forward to listening to at least some of  
20 the testimony this morning, and then we will have a chance to  
21 review it together in Washington But thank you again for  
22 being here

23 MR SCANLON Thank you ,

24 Let me turn to the agenda for today's session We  
25 will be listening to the testimony of approximately 37

1 witnesses who, for the purposes of clarity, will be divided  
2 into six groups or panels After a panel is called, each  
3 witness on it will testify individually And then when all  
4 testimony from that panel is completed, there will be some  
5 questions of individual witnesses posed by myself,  
6 Commissioner Dawson, Len DeFiore, our executive director who  
7 is sitting to my immediate left, or from Dan Levinson, our  
8 general counsel So that we may hear from everyone who  
9 wishes to contribute, witnesses are asked to limit their  
10 initial testimony to five minutes That's five minutes, and  
11 to keep their responses to questions as brief and to the  
12 point as possible

13 We will begin with our first panel We have one  
14 manufacturer representing the industry, Walter Olmstead, Sr ,  
15 executive vice-president of Carl Heald, Inc in Benton Harbor,  
16 Michigan Mr Olmstead, thanks for coming

17 MR OLMSTEAD I appreciate the opportunity to be  
18 here, quite obviously, since you are close to my business  
19 location, and it is a relatively pleasant drive from Michigan  
20 to Wisconsin on a nice morning

21 I would like to address three areas that relate to the  
22 safety issue, if you will, and then a fourth area, which is a  
23 product of these proceedings It is of special interest to  
24 my company I am Walter Olmstead, Sr , executive  
25 vice-president of Carl Heald, Incorporated of Benton Harbor,

1 Michigan, just across the lake Traffic would have been much  
2 better that way While we take great pride in being the  
3 world's largest supplier of two-, three- and four-wheel motor  
4 vehicle kits, we are a small company when compared to the  
5 major suppliers of three- and four-wheel ATVs

6 Carl Heald, Incorporated started manufacturing  
7 mini-bike kits in 1969, some 16 years ago Today our line  
8 includes an off-road cycle, three-wheel Super Trykes, which  
9 are one- or two-passenger low-seat utility vehicles, an ATC  
10 type single-passenger three wheeler, as well as an extensive  
11 line of three- and four-wheel quarter-ton utility trucks  
12 intended for off-road use

13 Among our valued customers we include the local paper  
14 boy, our nation's farmers, giant corporations, the physically  
15 handicapped and the U S military While a small company,  
16 Carl Heald has enjoyed an enviable record for quality,  
17 concern for user safety and value in the products we market  
18 Since we and our families have been the first users of each  
19 of our products, we have been long aware of the personal  
20 implications of product safety

21 We have reviewed the SVIA draft voluntary standard for  
22 ATVs and have made comments in those areas of unique concern  
23 or where we feel there is a better way Let me say that we  
24 fully support establishment of a standard as a cornerstone of  
25 an effective ATV safety program Of particular interest to

1     us was the issue of age competency and evaluating age  
2     competency recommendations by the manufacturers     Consumer or  
3     user information, training, education is another vital  
4     element in the safety formula     We at Carl Heald,  
5     Incorporated have made an owner's manual part of our vehicles  
6     since day one     Included back then, in the mini-bikes and  
7     today, were pre-use checks, operational do's and don'ts, as  
8     well as the normal maintenance functions

9             I, too, am a parent     I have three grown children now  
10     They have survived this business quite handily     They were  
11     obviously presented some unique opportunities, as the son and  
12     daughters of a person in the business     We found that there  
13     was a vast difference among our children, and this goes back  
14     to age competency     As a matter of fact, our youngest  
15     daughter was a real problem in that her last instinct was to  
16     let go of the throttle under any circumstance, and it caused  
17     us a great deal of grief

18             The point here is that I believe that the consumer or  
19     user information and training and education also has to be  
20     directed at parents or the providers of the vehicles in that  
21     there has to be, if we're going to protect these kids, a  
22     substantial basis for parental discretion and control over  
23     the use of vehicles     It's just essential that parents  
24     realize that these aren't tricycles or these aren't toys  
25     And that has to be, I think, one of the focal points of an

1 educational program

2 In addition to the manufacturers' efforts, we believe  
3 that each state's ORV program should include a budget  
4 dedicated to reaching the juvenile or first-use individual  
5 entering the ATV user group This amplification and  
6 reinforcement of the industry safety program has the highest  
7 level of effectiveness We see extensive testimony as to the  
8 effectiveness of these programs in the success of driver  
9 education, hunter safety and snowmobile safety programs in  
10 those states where they are in force

11 Regrettably, it also appears that, in the developing  
12 years especially, somewhat like the snowmobile curve, the  
13 users of ATVs need some discipline that penalizes unlawful  
14 and imprudent use This requires some uniform set of rules  
15 and a means of enforcement, or the threat of enforcement We  
16 believe that the SVIA and CPSC ATV task force could be the  
17 source of a model that can be adopted by states with ORV  
18 programs

19 There is one more facet of the ATV problem that is  
20 critical to many of the smaller producers and to Carl Heald  
21 in particular This is the basic image that now accompanies  
22 any vehicle with three or four large, soft tires My company  
23 has an enviable record in the area of product safety We  
24 have no suits pending We have no significant past history  
25 of products litigation We believe that, at a maximum, 16 to

1       20 percent of our sales are in the recreational ATV market

2               In spite of this, at this time we cannot get  
3 continuing products coverage   Now, I didn't say at a  
4 reasonable price   I said we just can't get coverage   As  
5 soon as the insurer discovers that the vehicles are, A, off  
6 road, B, use big, soft tires, and C, have three or four  
7 wheels, the door slams shut in our face

8               This is something that has happened in the last year  
9 It doesn't seem to matter that the user is the Air Force, a  
10 State park, a paraplegic, a golf course, a farmer, a police  
11 department, a corporate grounds-keeping department, or any of  
12 hundreds of utility vehicle users   We now are carrying the  
13 curse as an outfall of the basic focus on ATVs and its  
14 carryover to the utility vehicle market, which is the heart  
15 of my business

16              Carl Heald, Incorporated is soon faced with the  
17 prospect of operating without insurance coverage or simply  
18 going out of business   I am aware of others in the industry  
19 that face the same dilemma   I suspect some of the smaller  
20 operators will elect to risk running bare   That is of  
21 special concern when it comes to the consumer being injured

22              Yes, sir?

23              MR SCANLON   Your time is up, if you could just  
24 summarize your concluding statement

25              MR OLMSTEAD   Very good   In short, Carl Heald of

1 Benton Harbor, Michigan and some other American companies may  
2 not be with us next year In my case, it means a loss of 40  
3 jobs in Benton Harbor, Michigan and millions of dollars in  
4 American commerce My engines are built in Wisconsin My  
5 frames are made in Elkhart, Indiana, my tires in Carlisle,  
6 Pennsylvania

7 It is absolutely essential that a new perspective come  
8 from these hearings and the CPSC that places the focus of the  
9 proceedings on improper operation or use of ATVs and makes  
10 some distinction between types of vehicles and vehicle uses

11 We believe that the continued vitality of several  
12 small American companies rests in your hands, and the  
13 establishment of a new and more precise focus on the source  
14 of the ATV problem

15 I thank you, sir

16 MR SCANLON Thank you, Mr Olmstead How do you  
17 judge the age competency you just described?

18 MR OLMSTEAD We look at it in our application as  
19 one of the child's both physical size and capability as well  
20 as mental age, comprehension capabilities And we find that,  
21 in our own children, those of us involved in the company over  
22 the years have had wide differences in capabilities of kids  
23 the same age

24 MR SCANLON Do you label your vehicle, or do you  
25 make any recommendations to buyers about age, minimum age

1 requirements?

2 MR OLMSTEAD Yes We have in the past We have  
3 in the past had vehicles that were scaled for different size  
4 users Unfortunately, we are no longer in that business  
5 Our business is basically utility vehicles But at one time  
6 we had several sizes that were somewhat keyed to ages and  
7 physical sizes

8 MR SCANLON Let me ask you, do you think the  
9 controls on ATVs should be standardized?

10 MR OLMSTEAD Yes We felt that the voluntary  
11 standard addressed that quite well, with a couple of  
12 exceptions that are unique to vehicles, usually of domestic  
13 origin, that use automatic clutches and hydraulic brake  
14 systems We have made a comment on that We feel that there  
15 is a better way than the standard came up with We did feel  
16 also that if that was essential, then we would go with  
17 redundancy on our vehicles and have dual control

18 MR SCANLON Would you support mandatory training  
19 by the manufacturer at the time of sale for training for the  
20 owner and his or her family?

21 MR OLMSTEAD Basically, in looking at our  
22 business and looking at our method of sale, which is both  
23 direct in kit form, unassembled, and through dealers, it  
24 would obviously put us out of the kit business in that we  
25 don't have a means of reaching these people We would by far

1       rather see industry support of mandatory systems like we have  
2       in snowmobiles and in motorboats in Michigan

3               MR SCANLON     Okay     Thank you

4               Commissioner Dawson?

5               MS DAWSON     Yes     Mr Olmstead, I'm interested in  
6       the kind of vehicle that you are involved in, in  
7       manufacturing     How long have you been in the market?

8               MR OLMSTEAD    16 years, ma'am

9               MS DAWSON    16 years?   And have you always made a  
10      three-wheel type of --

11              MR OLMSTEAD   No, we started many years ago when  
12      mini-bikes were the craze     We were building mini-bikes     And  
13      we then built a three-wheel vehicle that is primarily used in  
14      the agricultural and industrial applications     Unlike the one  
15      on my right, it is a one- or two-passenger vehicle, and the  
16      rider sits down quite low on it, or riders     It is a  
17      different vehicle, but can be used in some of the same  
18      applications     It is spring-suspended and rear-engined

19              MS DAWSON     What were the safety considerations  
20      that went into the design of this vehicle?   You are talking  
21      about a utility vehicle

22              MR OLMSTEAD   We liked the stability     We realized  
23      that our farmers were chasing cows and checking fences, and  
24      they were on rough ground     And we liked the operator being  
25      down low     Our center of gravity is quite low     And it was a

1 design that provided for the things that we felt the machine  
2 needed to do It needed to carry a load or to tow a load  
3 This goes back 10 years that we entered into that market

4 MS DAWSON What's the range of engine size that  
5 you are dealing with?

6 MR OLMSTEAD Currently we put out vehicles with  
7 engine sizes from 5 to 16 horsepower We use domestic four-  
8 cycle engines The 16-horse engines are used in our quarter-  
9 ton trucks, which are three- or four-wheeled vehicles that  
10 have a box on the back like a pickup that dumps and is used  
11 in utility applications

12 MS DAWSON You talked about the standardization  
13 Would you think this would have any effect on safety, if  
14 controls were standardized on this type of vehicles through  
15 the voluntary standard?

16 MR OLMSTEAD I think that standardization can be  
17 an asset to basic vehicle safety, especially among those who  
18 are casual riders or are riding different vehicles, as  
19 sometimes happens I think that there are a few domestic  
20 manufacturers that use some different forms of operation and  
21 have some unique circumstances, primarily the location of the  
22 kill switch And we feel that we want the kill switch, in  
23 our case, on the right handlebar Because in our vehicle on  
24 the left handlebar is the location of a hydraulic brake  
25 master cylinder, and we don't want the operator to have to

1     remove his hand from the brake to get to the kill switch     As  
2     we expressed in our comments on the standards, if need be, we  
3     will put a kill switch on both handlebars     Now, that  
4     redundancy is a small cost and certainly would end up being  
5     an asset, we think

6             MS   DAWSON     That's interesting     You also  
7     mentioned in your statement that your vehicles have front-  
8     wheel suspension?     Front suspension?

9             MR   OLMSTEAD   We have front and rear suspension on  
10    many of our vehicles, yes

11            MS   DAWSON     Have you always done this, or is this  
12    a new development?

13            MR   OLMSTEAD   16 years ago, our first mini-bike  
14    had front suspension

15            MS   DAWSON     Do you feel that that is, from a  
16    safety standpoint, a cushioning factor in terms of the types  
17    of accidents that we have seen where an individual hits a  
18    bump or a depression in the terrain?

19            MR   OLMSTEAD   This hurts my pride, but I have to  
20    say not particularly

21            MS   DAWSON     Not particularly?

22            MR   OLMSTEAD   We have pushed that feature for 16  
23    years, and I hate to stand here and say that     It certainly  
24    is a comfort feature, but I don't believe that it's a  
25    significant aid in terms of reducing impact on a handlebar or

1       that type thing

2                   MS   DAWSON    Thank you

3                   MR   SCANLON   Thank you, Commissioner Dawson

4                   Dr   DeFlore?

5                   MR   DeFIORE   Mr   Olmstead, you mentioned that you  
6       have manufactured these vehicles since 1969    Can you maybe  
7       share with us some of the design evolution that has occurred  
8       in that time, especially those that you think may have some  
9       impact on the safety issue?

10                  MR   OLMSTEAD   Well, we started, of course, in the  
11       mini-bike business   And I think we ended up being one of the  
12       few that survived that particular business, to be honest  
13       about it

14                  We did go to a front suspension   We did go to a  
15       torque converter system that provided something other than  
16       instant acceleration for the user   We went with some longer  
17       wheel bases, which provided some stability in terms of doing  
18       wheelies and that type thing   And from that we kind of  
19       gravitated into what's essentially a low-speed, off-road  
20       vehicle, not particularly aimed at the recreational market  
21       We use that philosophy in the way of tires, but our speed  
22       limitations are quite a bit less than the typical vehicle  
23       today   That's one of the things, I think, that has been an  
24       asset to us over the years is that we are not capable of  
25       getting these kids up at 50, 60 miles an hour   We are down

1 in, you know, the 20s, which makes a difference

2 We have refined the suspension We have -- as I look  
3 back on some of those vehicles with the throttle controls and  
4 so on that were available back then and the brake systems, we  
5 have done a lot We now use hydraulic disk brakes instead of  
6 mechanical systems We use just vastly superior throttle  
7 controls in terms of wire diameters and strengths and so on  
8 I think everyone in the industry has gone through that  
9 upgrade

10 So, yes, we have seen a lot of changes in those areas

11 MR DeFIORE Let me go back to the comment you  
12 made at the end of your last response to Commissioner Dawson  
13 about the suspension system Were you saying that you felt  
14 that whether an ATV had suspension or not was mostly a  
15 comfort issue rather than a handling issue?

16 MR OLMSTEAD In terms of the vehicles that we  
17 manufacture, I have to say that, yes, sir I am not deeply  
18 versed in the vehicle that you are really addressing And I  
19 make this comment also, that one of our problems is that we  
20 are in trouble based on the transfer of concern about the ATV  
21 to the utility vehicle that we manufacture So I can't speak  
22 with a great deal of depth on that type vehicle

23 MR DeFIORE All right So just your own vehicles,  
24 then, is your qualification

25 MR OLMSTEAD Yes, sir

1           MR DeFIORE    Fine    In terms of the trouble you  
2 alluded to, one of the things you mentioned was your  
3 insurance difficulty    In your discussions with insurance  
4 companies, have they indicated whether coverage might become  
5 available if certain steps were taken to either change the  
6 ATV or other changes in the way it is marketed?

7           MR OLMSTEAD   We are now discussing that   My most  
8 recent proposal was to voluntarily withdraw from what we can  
9 identify as the recreational market totally   In other words,  
10 drop our two-wheel vehicle, drop our three-wheel one- or two-  
11 passenger vehicle, and only market the line of trucks   Their  
12 comment was, well, they still use the same tires and they are  
13 still -- you know, they, in their view, still present the  
14 same claim opportunities   That is going through the system

15           We may find someone who will write on that basis   We  
16 are not real happy about that, but we simply cannot subject  
17 our business and our families to operating without coverage  
18 We don't feel we can subject the public to that risk   One of  
19 the unfortunate losers in this whole scenario will be the  
20 individual who has been aggrieved by a faulty vehicle   And  
21 based on what has happened in the industry, there will be  
22 nothing there to cover his loss   That is really a crime, in  
23 our eyes

24           MR DeFIORE    Just one final question   You  
25 mentioned a law in Michigan that applies to snowmobiles and

1     motorboats that you thought might have some merit in its  
2     possible applicability to ATVs     Can you share with us what  
3     that law is, please?

4             MR   OLMSTEAD    Yeah    My kids have gone through it  
5     Most recent was motorboats with the kids    They are required  
6     to take a course    It is put on through the support of the  
7     local sheriff's department    There is some funding and  
8     support in terms of materials from the industry    There is  
9     also funding from the registration fee within the state    And  
10    young children do have to go through that course before they  
11    can operate a motor boat in Michigan    Our kids predated that  
12    on snowmobiles in Michigan    But, you know, in Michigan we  
13    have an ORV situation, or a snowmobile license    We also have  
14    an ORV licensing procedure which makes moneys available to do  
15    those kinds of things    And I am very familiar with it in  
16    terms of motorboats    It's been tremendously successful there  
17    in Michigan

18             MR   DeFIORE    Thank you

19             MR   SCANLON    Thank you, Mr   Olmstead    Thank you  
20     for coming

21             MR   OLMSTEAD    Thank you for the opportunity

22             MR   SCANLON    Thank you    Mr   Olmstead, if you or  
23     the other witnesses that follow have a prepared text, we  
24     would appreciate having a copy of that if you could leave it  
25     with Mr   Brott, who is there now and sitting over here    I

1 would ask the other witnesses to do the same thing

2 I would ask you also to maintain our five-minute rule,  
3 if you would This will allow everyone an opportunity to  
4 testify today We have a little light here that will go on  
5 after the conclusion of five minutes

6 We will proceed then with the second panel, composed  
7 of state and federal officials And if you would, come to  
8 the table, please Thomas Thoreson, Larry Freidig from the  
9 Wisconsin Department of Natural Resources located here in  
10 Milwaukee Fred Krantz, Wisconsin Department of Health and  
11 Social Services of Madison Clay White, the executive  
12 director of Concerned Consumers League in Milwaukee Bruce  
13 Hronek, director of recreation of the U S Forestry Service,  
14 Eastern Region, located here in Milwaukee And Jane Jansen,  
15 assistant administrator, Trade and Consumer Protection  
16 Division, Department of Agriculture, Trade and Consumer  
17 Protection, the State of Wisconsin in Madison

18 Good to see you again, Jane

19 Okay We will begin with Mr Thoreson

20 MR THORESON Thank you Basically, I would like  
21 to start off by giving a little bit of the history of the  
22 Wisconsin ATV law which was just recently passed by this last  
23 legislation and budget Two previous attempts had been  
24 attempted by the legislature to get some sort of legislation  
25 on ATVs The most recent attempt did go through, and I would

1     like to highlight the main points of that Wisconsin law

2             The first requires registration of ATVs     It sets up  
3     aids for trails and law enforcement and education     It puts  
4     on many regulations the same as snowmobiles, with the age  
5     restrictions being the same     It prohibits certain types of  
6     operation in the vicinity of highways     It puts speed  
7     restrictions around dwellings, on ice, within people who are  
8     pedestrians     The new law also sets up safety courses that  
9     would have to be in effect by July of '87

10            So our department has a little bit under two years to  
11     come up with some sort of safety training     At this time we  
12     are not sure exactly what direction that is going to take,  
13     whether it's going to be similar to what the hunter education,  
14     snowmobile and boating safety courses are     But it will  
15     probably be on the same sort of format     It may take on a  
16     nature similar to Minnesota, where they have a correspondence  
17     course the first part, and then you come in to take the test,  
18     both the written and the practical riding test

19            A couple of major areas that the legislation also  
20     addressed is that it required accident reporting     Up to this  
21     time, we had no idea of how many accidents were happening  
22     within the state     We were finding out about the fatals, but  
23     not the broken arms and that sort of thing, other than what  
24     we may have heard     So we had no sort of way of compiling the  
25     statistics of just how they were happening and who they were

1       happening to     So the legislation requires that the riders  
2       who are involved in an accident which has any sort of injury  
3       file a report

4               And lastly, and also very importantly, that it sets up  
5       an enforcement provision by any enforcement officer in the  
6       state of Wisconsin who is certified, whether it be a  
7       conservation warden, state patrol, sheriff's departments,  
8       local police departments, to reinforce the provisions of this  
9       legislation     And then there are penalties that go along with  
10      the violations of civil forfeitures up to \$250

11              So that's a brief -- a very brief rundown on what our  
12      legislation entails

13              MR   SCANLON     Good     Thank you very much

14              Mr   Freidig?

15              MR   FREIDIG     I will save you time     I represent  
16      more or less the trails and accommodation interests with the  
17      Department of Natural Resources, the snowmobiles and  
18      all-terrain vehicles     Tom highlighted the recent legislation  
19      I am here for questions

20              MR   SCANLON     Okay     Thank you

21              Mr   Krantz?

22              MR   KRANTZ     Yes     A little background, I am a  
23      research analyst within the Center for Health and Statistics  
24      We are the recipient of the death certificates     And numbers  
25      have been alluded to already, and we have had 22 deaths     I

1 can account for 20 of them I am going to have to go back  
2 and look and see if I can find those other two

3 But what I would like to, I guess, just present to you  
4 is some more numbers, and that we know nearly 50 percent were  
5 under the age of 16 That was mentioned I had looked at  
6 the certificates and found that 63 percent were under the age  
7 of 25 And it is definitely male, and that 84 percent of the  
8 deaths were males When I say that most of them were under  
9 the age of 25, that doesn't mean that we don't have the full  
10 age range We have had them from as young as seven up to the  
11 age of 78 Now, I don't know what a 78-year-old man would be  
12 doing riding an ATV, but it was fatal for him

13 As for when they occur, it's mostly year round We  
14 see that July, August and September had seven But we find  
15 them in January, as they go through the ice or through open  
16 water We find them operating also on the rural roads and  
17 that, even though they are an off-the-road vehicle

18 That's about what there is

19 MR SCANLON Okay Thank you, sir

20 Mr White

21 MR WHITE Chairman Scanlon, Commissioner Dawson,  
22 staff, my name is Clay White I'm the executive director of  
23 the Concerned Consumers League here in Milwaukee We are not  
24 a state or federal agency We are a private, nonprofit,  
25 independent consumer protection and education organization

1 We wish to speak about the regulatory and non-regulatory  
2 alternative actions open to the Commission related to  
3 all-terrain vehicles

4 All the available data suggests that there is  
5 considerable risk associated with the operation of ATVs,  
6 especially three-wheel ATVs Death rates have climbed at a  
7 phenomenal pace since 1980 This injury rate is in part a  
8 reflection of the equally phenomenal growth rate in the sale  
9 of ATVs, a growth rate which is unprecedented among  
10 recreational vehicles Who would have thought that this  
11 seemingly innocuous little three-wheeler, introduced for  
12 agricultural and utility work in the early '70s, would have  
13 achieved the popularity and market share it now commands?

14 That popularity is in part a tribute to the ability of  
15 Americans to see the potential for recreation, excitement and  
16 fun in an otherwise mundane product But the other part of  
17 that equation, however, falls to the producers Once the  
18 idea of the recreational use of three-wheel ATVs started to  
19 catch on, the producers saw the potential and stepped in with  
20 an aggressive marketing campaign Combined with a seemingly  
21 unbounded enthusiasm for ATVs, word of mouth and national  
22 advertising set up a love affair between consumers and ATVs  
23 on what seems to have been now an inevitable course of  
24 accident, injury and death

25 Manufacturers have known of the design limitations of

1     ATVs from their inception, as they have been aware of the  
2     growing injury and death rates     There are currently about  
3     200 product liability cases pending in the United States, and  
4     most people involved in ATV liability litigation believe this  
5     is just the beginning     Up until as late as mid-1985, as  
6     reported on CBS's 60 Minutes, the industry's response has  
7     been one of, "Well, gee, we made these things about as safe  
8     as we can, let the rider beware "

9             But evidently not everyone was suffering from  
10     ostrichitus, because there was a major shift in policy     No,  
11     it was not a halt in current three-wheel ATV production until  
12     a safer design could be worked out     It was rather an abrupt  
13     change in ATV advertising from three wheelers to four  
14     wheelers, proving that corporate executives are better at  
15     handling abrupt changes in terrain than their three wheelers  
16     are

17             The regulatory and non-regulatory actions open to the  
18     CPSC range from a ban on all ATVs to a ban on ATVs intended  
19     for use by children to mandatory product safety standards, to  
20     voluntary standards, to ordering a recall, repair,  
21     replacement or refund, finally to the dissemination of risk  
22     information to consumers     A wide variety of potential  
23     actions, to be sure     But which of these actions or  
24     combination of actions will best protect the consuming public  
25     from the unreasonable risk of injury from ATVs?

1           The Concerned Consumers League believes that every  
2 reasonable effort should be made to set product safety  
3 standards for ATVs, which include performance standards We  
4 believe that the Commission's technical resources, combined  
5 with the technical resources of the motivated ATV industry,  
6 have a good chance of being able to establish such standards  
7 if, in fact, meaningful safety and performance standards are  
8 possible for this unique vehicle

9           The ATV industry should have reasonable opportunity to  
10 improve on the design and performance of ATVs, but any  
11 voluntary standards should be judged in light of commission-  
12 established safety and performance standards However, as  
13 these efforts go forth, the accident and injury and death  
14 toll has continued to mount For this reason, we recommend  
15 as least a temporary ban on further sales of three-wheel ATVs  
16 intended for use by children, until such time as adequate  
17 safety and performance standards can be accomplished This  
18 should be accompanied by state action to limit the use of  
19 ATVs by children, as has been done by Wisconsin and a few  
20 other states

21           In addition, a mandatory industry-wide hazard and  
22 safety alert program aimed at all ATV owners and users should  
23 be ordered This should be conducted by the ATV industry at  
24 their expense, to standards set by the CPSC

25           Should the Commission find that product safety

1 standards, including performance, can be established that  
2 will protect consumers from an unreasonable risk of injury  
3 from ATVs, the Concerned Consumers League believes the public  
4 interest can be served The league does not, however,  
5 believe that this can be accomplished by product safety  
6 standards which include only safety instructions and hazard  
7 warnings, without performance standards The burden of proof  
8 with regard to safety and performance should be on the  
9 producer, not the consumer

10 If adequate product safety standards and performance  
11 standards are established, the manufacturers of ATVs should  
12 be responsible for the recall, repair, replacement or refund  
13 of purchase price, less an allowance for use, for any ATV  
14 then in use which does not meet the standards If product  
15 standards which adequately protect consumers from unreasonable  
16 risk of injury from ATVs cannot be established, the  
17 Commission must ban the sale and recall units in service

18 We do not mean to imply by these remarks that ATVs not  
19 intended for recreational use should be banned But  
20 recreational products have a particular appeal to young  
21 people and children who, because of their inexperience as  
22 consumers, are more vulnerable to the inducement of  
23 advertising claims than they are to those of hazard warnings

24 By virtue of their primary use as recreational  
25 vehicles, we believe that all-terrain vehicles require

1 special attention and must be held to a more stringent  
2 standard of safety

3 Thank you

4 MR SCANLON Thank you, Mr White I think the TV  
5 show that you referenced was ABC's 20/20, not CBS's 60  
6 minutes

7 MR WHITE I stand corrected

8 MR SCANLON Okay Bruce Hronek?

9 MR HRONEK Good morning My name is Bruce Hronek  
10 I'm the director of Recreation, Range, Wildlife and Landscape  
11 Management for the USDA Forest Service, Eastern Regional  
12 Office here in Milwaukee, Wisconsin I am pleased to have  
13 been invited to testify before this Commission on the subject  
14 of all-terrain vehicles

15 It is my job to advise the regional forester in regard  
16 to recreational uses and program management efforts on 16  
17 national forests located in 13 midwest and northeastern  
18 states This responsibility includes coordinating recreation  
19 activities with individual forest supervisors and  
20 recreational staff officers on each national forest

21 My reference today to ATVs pertains only to three- and  
22 four-wheel, low-pressure-tired vehicles ATV use has been a  
23 growing recreational pursuit, especially over the last four  
24 to five years, both on and off the national forests Since  
25 my responsibilities relate only to the National Forest System

1 lands, my testimony is based on experience our personnel has  
2 had in managing ATVs on these lands It is a composite of  
3 information and opinions formed during our efforts to manage,  
4 control and facilitate ATV recreational use However, some  
5 of my comments could apply to the use and management of ATVs  
6 on private or other agency lands

7 ATVs share the use of the National Forest roads and  
8 trails and certain other areas with motorcyclists,  
9 snowmobilers, hikers, skiers and other recreationists Use  
10 of these vehicles on public roads is normally subject to  
11 state motor vehicle codes in states in which we manage  
12 National Forest System lands In some states, ATV operation  
13 on public roads is illegal In other states, the  
14 registration system and appropriate laws have been enacted,  
15 and these vehicles can be legally operated on most Forest  
16 Service roads

17 I should point out that most National Forest System  
18 roads are subject to law enforcement activities by local and  
19 state law enforcement officers, and that local and state laws  
20 apply equally on and off the National Forest System lands  
21 Where ATVs are licensed, applicable state laws normally  
22 regulate operator age, vehicle size, registration and  
23 equipment

24 National Forest regulations have been adopted to  
25 prevent ATV use from causing considerably adverse effects to

1 soil, vegetation, wildlife, wildlife habitat, culture and  
2 historical resources These regulations ensure resource  
3 protection, public safety of users, and minimization of  
4 conflicts among the various users of the Forest System lands

5 I have four points to be brought before the Commission  
6 While they may have come before the Commission hearings  
7 elsewhere, it is desirable that these comments be added to  
8 provide additional emphasis

9 Since ATV use is relatively new, organized vehicle  
10 user groups have not been developed to the extent associated  
11 with snowmobiles and motorcycles Contacts with vehicle  
12 buyers and operators are generally made by dealers Contacts  
13 by Forest Service personnel have been on a very limited basis  
14 This Forest Service region does not have, nor is it funded to  
15 provide, broad-scale safety programs aimed at developing safe  
16 user operation Safety efforts are limited to messages  
17 printed on maps and brochures The effectiveness of these  
18 messages is not known

19 I believe that sufficient evidence is accumulated to  
20 point to a need for a major safety program This program  
21 should be undertaken by ATV manufacturers, dealers and user  
22 organizations It is believed the effects of such a program,  
23 channeled through organizations like the Recreational Vehicle  
24 Institute of America, could reduce the number of accidents,  
25 injuries, deaths and claims now arising out of ATV use

1           Since many of the vehicle operators appear to be  
2 juveniles, the safety campaigns should be aimed at the  
3 parents of juvenile operators to assure that, first, they  
4 maintain supervision of the juvenile while using the vehicle  
5 Two, train the juveniles in vehicle features and safe  
6 operation And three, subject the vehicle to all local and  
7 state laws of operation and use Assistance such as training  
8 programs and seminars, training booklets and supervised  
9 events, should be provided by manufacturers in areas where  
10 these vehicles are popular

11           Second, we believe that several additional efforts  
12 should be made to undertake -- should be undertaken by  
13 vehicle manufacturers These should include organization of  
14 responsible user groups and the development of model vehicle  
15 regulatory codes Organized user groups can be easily  
16 reached with programs promoting safe use among group members  
17 and their families Groups would provide points of contact  
18 for land management agency personnel, such as the Forest  
19 Service or State Department of Natural Resources Production  
20 of a vehicle regulation code would be aimed at encouraging  
21 states to adopt such a code and to include in the code the  
22 most important features relating to safety and responsible  
23 use of ATVs

24           Third, I think that individual states should be  
25 encouraged to adopt a vehicle code for safe and sane

1 operation of the vehicles on public roads The Forest  
2 Service, as I pointed out, does not have the authority to  
3 completely regulate ATVs on public roads Only through the  
4 adoption and enforcement of state vehicle codes can effective  
5 control of the situation be maintained The objective of  
6 this control is the minimization of accidents to adults and  
7 juveniles

8 Last, some of the accidents we know about raise safety  
9 questions relating to design of these vehicles A complete  
10 evaluation should be made by the ATV manufacturers to  
11 establish any possible link between accident types or trends  
12 and designs of the vehicles The vehicles should be designed  
13 to be controllable and safe for juveniles There should be a  
14 reasonable limit placed upon their speed potential

15 The Forest Service is always ready to do what it can  
16 to promote wise and safe use of the vehicles and will  
17 cooperate, within our capabilities and budgets, with any  
18 agency working to accomplish these recommendations

19 Thank you for permitting me this opportunity to offer  
20 our views If you have any questions, I would be pleased to  
21 respond

22 MR SCANLON Thank you, Mr Hronek

23 Jane Jansen?

24 MS JANSEN Good morning

25 MR SCANLON Good morning Welcome

1 MS JANSEN Thank you I'm Jane Jansen, assistant  
2 administrator of the Trade and Consumer Protection Division  
3 of the Wisconsin Department of Agriculture, Trade and  
4 Consumer Protection We are the Consumer Product Safety  
5 Commission's designee for the state of Wisconsin As such,  
6 we have investigated approximately 160 incidents of potential  
7 product failure for the CPSC in the past two years Of these,  
8 five have involved all-terrain vehicles I would like to  
9 briefly describe these incidents

10 All of our investigations on ATVs were on three-wheel  
11 models In four of the five incidents, the vehicles flipped  
12 over Events preceding this action were as mild as crossing  
13 a dip in the terrain or moving from the flat surface of a  
14 driveway over the grassy edge of the driveway One driver  
15 was uninjured, although thrown off the vehicle Three  
16 drivers sustained fractures One driver was killed

17 Two of the victims were under the age of 16 The man  
18 who lost his life was 17 None of the drivers were operating  
19 the vehicles under the influence of alcohol or drugs

20 I review these facts from our experience to illustrate  
21 what appears to be the pattern developing in ATV incidents  
22 The large number of accidents involving children and a high  
23 incidence of the vehicles overturning are of particular  
24 concern

25 The product safety laws of Wisconsin have an emphasis

1 on protecting our children Wisconsin's philosophy has been  
2 to protect this portion of our population where the  
3 individuals cannot be expected to appreciate the need for  
4 precautions So it is only natural to be concerned about the  
5 number of children we see injured in accidents involving ATVs  
6 40 percent of the victims in the accidents we investigated  
7 were children A slightly higher percentage of victims in  
8 Wisconsin overall were children And approximately 50  
9 percent of the deaths resulting from ATV accidents nationwide  
10 were persons under the age of 16

11 The high incidence of vehicle rollover is also a  
12 matter of concern A full 80 percent of our investigations  
13 involved rollover I understand this is not an uncommon  
14 component in the national statistics

15 With these factors in mind, we look at the growing  
16 numbers of incidents with a growing amount of concern All  
17 of these factors need to be synthesized into an organized  
18 whole An analysis of how ATV accidents take place needs to  
19 be made The analysis should continue to a definition of the  
20 causes and contributing factors of accidents Does age of  
21 the driver contribute to rollover? Are the vehicles  
22 inherently unstable? Can people be trained sufficiently to  
23 avoid accidents?

24 It doesn't appear that these questions have been fully  
25 answered as yet Most of those participating in this hearing

1 would agree to the existence of a problem Much opinion as  
2 to the level of that problem is apparent

3 So we come to the question of how the information  
4 available is to be gathered and analyzed This hearing and  
5 the others previously conducted are a good start Further  
6 testing and research are also a necessary part of a reliable  
7 analysis We can all have confidence that this is the work  
8 the Consumer Product Safety Commission is most capable of  
9 performing As a state agency with product safety  
10 responsibilities, we look to federal CPSC representatives as  
11 the experts in the field who will insure safe products for us  
12 all In this instance, we save great duplication of efforts  
13 between states and benefit from their resources in testing  
14 and analysis

15 We very much appreciate the work that the Consumer  
16 Product Safety Commission is performing in researching  
17 all-terrain vehicle safety We have the highest confidence  
18 in their ability to search out the answers that we are all  
19 looking for

20 I would also like to add just very briefly one comment  
21 as far as what one of the DNR representatives stated  
22 concerning having a real dearth in information as far as  
23 accidents across Wisconsin, that he got the fatality numbers  
24 but not the accidents We, as the product safety agency in  
25 Wisconsin, have the same problem We have only investigated

1 five incidents, and there have been now 22 deaths in the  
2 state It is very difficult for us to seem to get the  
3 numbers or the word that there are accidents happening And  
4 I think that just relates to another question as to what  
5 people think, the user thinks, is going on when a child or an  
6 adult has an accident involving an ATV

7 Thank you

8 MR SCANLON Thank you, Ms Jansen And on behalf  
9 of the whole Consumer Product Safety Commission, we thank you  
10 and your office for acting on our behalf as the Wisconsin  
11 state designee You do a great job

12 We will take a five-minute break I would ask the  
13 witnesses to remain there because the three of us will have  
14 questions for you in five minutes Thank you

15 (Recess was taken )

16 MR SCANLON We will begin with the questioning of  
17 the panel

18 Ms Jansen, I have a question for you Compared to  
19 the other product safety investigations that you do, both on  
20 your own and for the Consumer Product Safety Commission, how  
21 would you rate the hazards of ATVs?

22 MS JANSEN Again, it's at a fairly --

23 MR SCANLON You've got to talk into your  
24 microphone, please Would all witnesses please speak into  
25 their mikes?

1 MS JANSEN It's at a very low level number in  
2 relation to other investigations But in reviewing the five  
3 that we have handled, I was rather alarmed at the content of  
4 the investigations And by that I mean that four out of five  
5 of them, there did not appear to be a very strong element of  
6 user fault

7 One of the accidents did appear that there was a good  
8 level of user fault And that, in a product safety  
9 investigation, normally just throws it out of whack as far as  
10 it being a product fault And in that particular incident  
11 you had two young girls whose attention was distracted, and  
12 they were driving, and they hit a tree Well, the only thing  
13 that would concern me about that accident is what happened,  
14 in that the vehicle turned over

15 The other four incidents, what was alarming was the  
16 degree of reaction of the accident to what had happened For  
17 instance, the incident where the young man was pulling across  
18 a driveway, and when he hit the ridge of grass at the edge of  
19 the driveway, the vehicle flipped over That just seems to  
20 be an alarming reaction to have occur as a result of a fairly  
21 small act on his part

22 MR SCANLON Okay Thank you

23 Mr White, you mentioned that you thought that ATVs  
24 should be banned for the use of children What cutoff age  
25 would you suggest?

1           MR WHITE   Well, I would suggest certainly between  
2   12 and 15, I would say   It seems to me that there is --  
3   there has to be some lower limit at which a child can, number  
4   one, understand the complexity, have the physical ability and  
5   strength to handle one of these vehicles   And I don't have  
6   any specific age in mind   But somewhere in that area

7           MR SCANLON   Thank you

8           Mr Hronek, does the Department of Agriculture have  
9   any plans to regulate the use of ATVs on Government-owned  
10   land?

11          MR HRONEK   We are presently regulating them with  
12   regard to environmental impacts   When it comes to the type  
13   of ATV vehicle type of safety, we do not have that at this  
14   time

15          MR SCANLON   Could you compare for us accident  
16   patterns with ATVs vis-a-vis other off-the-road recreational  
17   type vehicles used on federal lands?

18          MR HRONEK   We have accidents in all various types  
19   of vehicles, which is obvious, because of the millions of  
20   people who use the National Forest   However, we do note a  
21   particular increase and notation of this type of vehicle  
22   accidents   That's why we are testifying here today, is  
23   because of our personal concern for the type of accidents  
24   arising out of this low-pressured three- and four-wheeled  
25   vehicle

1 MR SCANLON Okay

2 Mr -- I'm not sure if this should be for Mr Thoreson  
3 I think it would be more appropriate for you Does your plan  
4 for training that you mentioned earlier, training ATV riders  
5 -- how would that compare with training for other  
6 recreational vehicles?

7 MR THORESON Right now we are not sure what  
8 format the training is going to take, whether it's going to  
9 be correspondence and then coming in to take the test or  
10 whether or not we will have voluntary instructors, much as in  
11 our other programs With the hunter education, boating  
12 safety and snowmobile safety, with the amount of enthusiasts  
13 in those sports who have a very strong interest in the sports,  
14 and since they are in clubs already or they are Coast Guard  
15 auxiliary or some sort of group that is formed, there is  
16 readily a source of instructors And presently there is no  
17 ready group of instructors for the ATV courses So that is  
18 where there is a major problem at this time

19 MR SCANLON Mr Krantz, for the death  
20 certificates processed by your department, do you know what  
21 percentage of those deaths on ATVs were alcohol related? Ms  
22 Jansen mentioned that, in the five investigated by her  
23 department, alcohol or drug abuse was not involved

24 MR KRANTZ In the ones that I have looked at,  
25 there was no mention made on the certificates But that's

1 not to say that it didn't happen Because there is no  
2 particular place on the death certificate for the coroner or  
3 the medical examiner or doctor to specifically enter whether  
4 there was alcohol use involved in that So in lots of cases  
5 -- well, I shouldn't say in lots of cases I'm sure in some  
6 cases, certainly from motor vehicles and that and, say,  
7 suicide deaths, the mention of alcohol doesn't get mentioned  
8 for various reasons So there possibly could have been some  
9 But from the certificates, none did mention that

10 MR SCANLON In your opinion, why do you think  
11 ATVs have a higher accident death rate than other  
12 recreational vehicles?

13 MR KRANTZ Well, I think that it's been alluded  
14 to by a number of people And Ms Jansen I think mentioned  
15 that, I think, it involves rollovers and flipbacks At least  
16 from the certificates that's what we see, is a lot of  
17 rollovers, or the passenger or the driver being thrown from  
18 the vehicle

19 MR SCANLON Okay Thank you  
20 Commissioner Dawson?

21 MS DAWSON Yes Mr Krantz, I would like to  
22 follow up with a comment that you made And I think Ms  
23 Jansen also mentioned this The difficulty of getting  
24 reports of accidents, whether they be death or injury And  
25 what do you think can be done at your level to increase the

1 reporting so that we do get a better picture of how and why  
2 these accidents are occurring?

3 MR KRANTZ I don't think there is probably really  
4 a problem with getting the death certificates Because there  
5 we get virtually 1 -- we almost certainly get 100 percent  
6 Whether the death certificate specifically mentions ATV, I  
7 guess, could be a problem Because there is no specific  
8 death code that we can point to that identifies an ATV

9 MS DAWSON What would it more likely be reported  
10 as?

11 MR KRANTZ It would be as a motorcycle And the  
12 only way that we can identify deaths involving ATVs is to  
13 manually go back to all of the accidental deaths and visually  
14 inspect to see if it mentions ATV And as I say, maybe in  
15 some cases it was a motorcycle because there is no  
16 classification for ATVs So we could be losing or missing  
17 some

18 As for accidents that are not fatal, there is no  
19 reporting system, and it would be -- well, one would need to  
20 be established, I guess, through any number of agencies, I  
21 guess There is the National Injury Surveillance System I  
22 am not real familiar with that But I would presume that  
23 that would possibly be one beginning point

24 MS DAWSON Which, of course, the CPSC does  
25 monitor those statistics Let me ask you, on the deaths you

1 mentioned in your state, you were able to confirm 20

2 MR KRANTZ Yes

3 MS DAWSON And our papers show there are 22

4 MR KRANTZ 22

5 MS DAWSON Of those 20, did you investigate those  
6 deaths, or did you go back and get a report on what the  
7 accident scenario was?

8 MR KRANTZ No We didn't do that In fact, a  
9 request was made from us by Jane's office, and I supplied her  
10 copies of the death certificates and the information we  
11 obtained But we don't do any investigations

12 MS DAWSON Maybe, Ms Jansen, you can respond to  
13 that In the incidents that you investigated, were these all  
14 recreational use incidents?

15 MS JANSEN Absolutely, yes They were all  
16 recreation use

17 MS DAWSON And maybe, Mr Thoreson, you could  
18 respond to this question You mentioned in your statement  
19 that the new legislation which will be going into effect  
20 includes an accident reporting system Can you share with us  
21 the plan, how that is supposed to operate and how perhaps the  
22 CPSC could share that information?

23 MR THORESON Any accident that would involve any  
24 sort of injury that would require any medical treatment would  
25 have to be reported, along with all the fatalities

1 MS DAWSON This is reported to whom?

2 MR THORESON Reported to our department And our  
3 department will come up with an accident report form which  
4 the accidents are reported on, and we will gather the  
5 statistics But any accident in which an injury happens will  
6 have to be reported

7 MS DAWSON This is also done for other types of  
8 recreational vehicles now?

9 MR THORESON Right With boating, there is also  
10 a property damage, depending on the type of accident With  
11 the exception of snowmobile legislation passed two years ago,  
12 which now only requires that fatal accidents are reported  
13 But we had 12 years of statistics or more from the snowmobile  
14 accidents to gather data, so there was already a good data  
15 base But boating accidents have to be submitted if there is  
16 property damage over \$100 or an injury which requires medical  
17 attention

18 MS DAWSON Thank you

19 Mr Freidig, you indicated earlier that you are  
20 involved mainly with the trail system?

21 MR FREIDIG That's correct

22 MS DAWSON How are you involved, then, with ATVs  
23 in terms of monitoring the safety?

24 MR FREIDIG Not directly I guess the back way  
25 to it would be in setting standards similar to our snowmobile

1 program for the design, construction and maintenance of  
2 trails We are programmed in Wisconsin for, say,  
3 snowmobiling, based on local unit choice to participate In  
4 our case, counties There are standards set up in the  
5 administrative rules for the design, construction and  
6 maintenance of trails

7 And I'm sure that will be parallel to what's happening  
8 or what will be happening in the all-terrain vehicle program  
9 So from that sense, we are concerned with providing, or  
10 having the responsibility of providing, a reasonably safe  
11 trail, keeping in mind that it is all-terrain We're not  
12 building sidewalks out there But that's the avenue that I  
13 would be connected with safety

14 MS DAWSON Are you aware of any particular  
15 problems that the use of ATVs on these public trails has  
16 arisen? What kind of problems do you see having occurred in  
17 the recent past?

18 MR FREIDIG The problems that I would note would  
19 not be necessarily of a safety concern They may -- well,  
20 I'm sure they are more of a user conflict situation  
21 Inappropriate use on private property at the wrong times of  
22 the year, trespass conditions, things of those sorts

23 MS DAWSON Would the enforcement of these types  
24 of rules be up to the county level?

25 MR FREIDIG Well, it's a shared responsibility

1 MS DAWSON Shared?

2 MR FREIDIG Yes Tom mentioned all conservation  
3 wardens and local government law enforcement officials have  
4 the capability of making citations

5 MS DAWSON So in this state, in any case, it's  
6 not the responsibility of any one level of enforcement

7 MR FREIDIG No

8 MS DAWSON But all levels can --

9 MR FREIDIG It is shared, yes

10 MS DAWSON Mr Hronek, I was interested in your  
11 statement about the reason -- the four points that you  
12 mentioned, the first one being user groups You felt that,  
13 in comparison with other types of vehicles that you have had  
14 some connection with in your work with the Forest Service,  
15 that the ATV user groups are really not well developed at  
16 this point Could you elaborate on that and give us some  
17 ideas as to how that could be corrected?

18 MR HRONEK Well, it's been our experience when it  
19 comes to working in safety or environment or anything, if you  
20 work with an organized group, you seem to have much higher  
21 production You can also provide instruction to safety  
22 people within those organized groups that can monitor that  
23 within them And to date, the ATV groups have not been well  
24 organized There are some minor organizations Compared to  
25 motorcycle clubs, compared to four-wheel-drive clubs,

1 snowmobile groups and clubs seem to have a great deal of  
2 organization

3 There also is a tendency, which I don't think is bad,  
4 to have these ATVs as a family outing rather than a group  
5 outing As a family outing, it lacks that cohesiveness and  
6 sometimes the organization that the other groups have I  
7 guess that's the point I was trying to make, was it's an  
8 organized group, or a vehicle by which safety can be issued  
9 from

10 MS DAWSON Are you familiar with the programs  
11 that are underway sponsored by the Special Vehicle Institute  
12 of America?

13 MR HRONEK Yes, we are We have participated in  
14 some of those events

15 MS DAWSON In what way?

16 MR HRONEK As they have given instruction, we  
17 have been a party to that instruction provided And they  
18 have given instructions to our users We are users of these  
19 vehicles in the National Forest System by our own personnel  
20 and have a strong need for safety

21 MS DAWSON Do your personnel take the industry  
22 training courses?

23 MR HRONEK Yes Not all of them, but most of  
24 them do We try to make that a part of the package

25 MS DAWSON Do any of your personnel possess

1 instructor certificates?

2 MR HRONEK Not to my knowledge

3 MS DAWSON Do you believe that there is a greater  
4 need for more instructors?

5 MR HRONEK I think yes I do

6 MS DAWSON How can the Forest Service -- which I  
7 think you're going to continue to see a lot of problems with  
8 these vehicles -- how can you at your level best cooperate  
9 with, for example, Ms Jansen's agency and our agency in  
10 helping to promote the numbers of instructors, the numbers of  
11 training courses that are available?

12 MR HRONEK Well, I think, again going back to the  
13 user group concept, we also have the opportunity -- all users  
14 seem to like maps And as part of the printed message upon  
15 the maps of the National Forest, the messages about safety,  
16 messages about where they can contact the instructors or  
17 instructions or groups that instruct would be very  
18 appropriate We feel this is one of the services we can use  
19 to promote And certainly in cooperation with the states,  
20 the DNR and the states and the safety groups within the state,  
21 this can be an important vehicle just through our brochures,  
22 which we distribute literally millions of brochures and maps  
23 each year

24 MS DAWSON So this would be maps giving locations  
25 of trails and facilities for ATV users

1 MR HRONEK That's correct

2 MS DAWSON Sounds like an excellent suggestion

3 I will defer to you

4 MR SCANLON Thank you, Ms Dawson

5 Dr DeFlore?

6 MR DeFIORE Thank you

7 Ms Jansen, Mr Krantz, both in your accident  
8 investigations you and we share kind of a search for  
9 causality, and I guess we can say kind of two generic  
10 categories One would be the product design, the other would  
11 be the rider behavior, or maybe some combination of those two

12 In the absence of both of you investigating, do you  
13 have a feel for which of those two categories seem to be most  
14 at issue? And related to that, were the variables, such as  
15 the training of the rider, the use of safety equipment,  
16 experience of the rider, were those things at all at root  
17 here? Ms Jansen first, and then Mr Krantz

18 MS JANSEN I do have a good bit of concern about  
19 riding responsibilities versus the mechanism of the machine  
20 One of the things that strikes me, of course, is the youth  
21 involved, the young ages of the people who are accident  
22 victims And as someone who started out as a pre-school  
23 teacher for a year, I am very much aware that young children  
24 frequently don't have a lot of coordination

25 Something that I would couple with that is that

1 perhaps parents aren't aware enough that there could be a  
2 danger involved here And I say that, and it's a suspicion  
3 on my part I don't have hard facts But even the people  
4 that I have spoken with, friends who have these types of  
5 vehicles don't hesitate to put a seven- or nine-year-old  
6 child on it, and they haven't had any training

7 And I believe there is a necessity for some  
8 coordination to be able to drive one of these vehicles  
9 Never mind if it's on farmland and there aren't other  
10 vehicles supposedly around They need to have some kind of  
11 background, training, someone with them to show them how to  
12 use the vehicle

13 So I think there is likely to be a combination of both  
14 those factors involved And I am very concerned that parents  
15 have an alert, something that will trigger them to believing  
16 that there could be a problem here or a need for some  
17 responsible oversight on their part

18 MR DeFIORE In the five accidents that you  
19 investigated, in how many instances were the riders wearing  
20 helmets or other safety equipment?

21 MS JANSEN I don't believe we had a single one  
22 where there was even so much as a helmet on them, which I  
23 find curious Because I also know people who are involved in  
24 the motor cross, fun types of things with children And  
25 those groups are very safety conscious, very equipment

1       conscious   And it's totally -- seems to be totally absent in  
2       this particular area

3               MR DeFIORE   Mr Krantz, do you have any  
4       observations in this?

5               MR KRANTZ   The death certificate is not a vehicle  
6       where we collect data that surrounds the accident, namely,  
7       whether they were using helmets or whether they had training  
8       or anything like that   So we are going to have to depend on  
9       Ms Jansen's investigations and the DNR reporting system to  
10      give us data of that nature

11              It appears from the death certificates that hitting  
12      trees is one of the main problems   They also have hit hay  
13      balers out in fields   Apparently the hay baler was somewhat  
14      hidden or something, and they came upon it at a rather fast  
15      speed and were unable to avoid running into it   And there  
16      have been other instances where they have run into a  
17      companion rider or another motorcycle and that   But hitting  
18      trees seems to be the main problem from the death  
19      certificates

20              MR DeFIORE   Mr Thoreson, Mr Freidig, since a  
21      major component of the program that you described involves  
22      training and safety awareness, presumably it is based on some  
23      experience that better rider education, better training, may  
24      have prevented some of the accidents that have been reported  
25      Can you share with us here your views about the relative

1 causality, either whether it was the vehicle or whether it  
2 was some rider behavior or lack of equipment?

3 MR THORESON In general, as far as I can relate  
4 to the other safety problems, the other problems with boating  
5 and snowmobiling and reducing accidents, we found that there  
6 are two major ways of -- well, at least a couple of major  
7 ways of reducing accidents on our department's part And  
8 that is through both the educational enforcement, where you  
9 have a mandatory education safety class, and by enforcement,  
10 enforcing the various laws The two together have shown, at  
11 least in those programs, a reduction in accidents

12 MR DeFIORE Mr Freidig, do you have any  
13 suggestions?

14 MR FREIDIG No, other than I think both Tom and I  
15 will agree there is a need for safety training because it is  
16 a uniquely different vehicle to operate It requires a  
17 different set of skills than many of us are used to And we  
18 suspect that -- you know, it's a hunch, based on our  
19 experience with other safety programs -- that once people are  
20 exposed to those types of concerns, that they will be better  
21 prepared to encounter some of the liabilities they may incur  
22 out there on the trail

23 MR DeFIORE Since both of you also are involved  
24 presumably in the use of snowmobiles and other off-road  
25 vehicles -- is that correct?

1 MR FREIDIG Yes

2 MR DeFIORE In the past hearings we have had  
3 people testify on comparative accidents between or among  
4 these vehicles, but also the different levels of intensity of  
5 use of the vehicles People have testified that ATVs are  
6 used five to ten times more frequently than other off-the-  
7 road recreational vehicles Do you have any observations  
8 about the experience in this part of the country, about that  
9 comparative usage of these vehicles?

10 MR FREIDIG That would be a difficult one to  
11 answer Because they have the potential, at least, for a 12-  
12 month period of use, versus two months or three months at  
13 best It would be a little difficult to draw comparisons,  
14 such as X number of times per month That's not a very good  
15 indication But we don't have any data We could only  
16 relate hunches, I guess, at this point

17 MR DeFIORE Mr Thoreson, have you got any feel  
18 for that?

19 MR THORESON I would just echo what Larry said  
20 Briefly, part of the legislative history was that snowmobiles  
21 were regulated closely on the ice or on the snow, and ATVs  
22 weren't And so here you had a short period use of  
23 snowmobiles, and yet a year-round use of ATVs And the  
24 legislative and legal requirements are considerably different  
25 But amount of use, I think Larry answered that quite well

1           MR DeFIORE   Ms Jansen, Mr White, you have heard  
2   today about the Wisconsin response to this problem   Do  
3   either of you have an opinion about what do you think would  
4   be effective in terms of addressing the problem?

5           MR WHITE   Well, I think it would be somewhat  
6   effective   I think it falls short in that there is no  
7   mention of safety equipment, helmets, padding, anything of  
8   that nature   And also I think that the allowing children to  
9   use these things accompanied by an 18-year-old or more, or a  
10   parent or adult, I think that that is a weakness in the law  
11   I think that it will be difficult to enforce that

12           MR DeFIORE   Ms Jansen, do you have any  
13   observations?

14           MS JANSEN   Yes   There are a couple of things  
15   that -- I have been in the enforcement arena for over 10  
16   years now   And a problem I have with it is just that,  
17   enforceability of it

18           On the other hand, I am very pleased and proud that  
19   this state has dealt with at least a segment of the problem  
20   already   I think we need to get the information out to  
21   people that there could be a danger here so they start  
22   thinking about it   And this is certainly a step in the right  
23   direction   I was just terribly pleased that that legislation  
24   included keeping records of accidents so that people could  
25   see that there was a necessity to have some kind of a handle

1 on this so we would at least know what was going on I think  
2 it's a good start

3 I don't think that we can get away from the idea of  
4 what the DNR representatives today have been talking about as  
5 far as training and public information I also don't think  
6 we can totally walk away from the idea of regulation, either  
7 Because it has been said many times before, the regulation or  
8 the threat of regulation is frequently what is needed to  
9 bring together the components of cooperation and voluntary  
10 standards So I think it's a step in the right direction I  
11 don't think it's a total answer

12 MR DeFIORE Thank you

13 MR SCANLON Thank you, Mr DeFlore

14 We want to thank each of the panels for coming here  
15 today We appreciate your testimony If you do have any  
16 prepared statement, could you leave it at the table?

17 We will proceed with the third panel, consisting of  
18 injured parties and/or their families First witness, Bonnie  
19 Sumner, Milwaukee Meg Petullo from Mequon Noah Desmond  
20 from Mequon Sherry Laatsch from Clintonville, Wisconsin  
21 Joe Steier from Oconto, Wisconsin James B Erickson from  
22 Anoka, Minnesota

23 We ask you to limit your remarks, please, to five  
24 minutes When you see the yellow light go on, we ask that  
25 you stop

1           We will begin with you, Ms Sumner   Welcome

2           MS SUMNER   Good morning

3           MR SCANLON   Can you talk into the mike?

4           MS SUMNER   Okay   My name is Bonnie Sumner   I'm  
5   from Milwaukee   I'm here because my 14-year-old son was  
6   injured in an ATV accident last summer   He is not here  
7   himself because he has started high school, and also he  
8   remembers nothing

9           The particulars of the incident were, we were visiting  
10   friends at their lake home   They had purchased this vehicle  
11   a month before the accident for their 14-year-old son   They  
12   had received no training or anything   I consider myself to  
13   be a very concerned, cautious, perhaps overcautious parent  
14   And when I set eyes on the vehicle, I thought of it as a  
15   cross between a golf cart and a big wheel   I did not  
16   perceive any danger whatsoever   I had never heard of these  
17   vehicles, I had never seen one before, and I thought it was  
18   perfectly okay for my 14-year-old to ride this

19           The boys were riding them, taking turns, one at a time,  
20   up and down a private driveway   My son didn't return   He  
21   was found in the woods   We don't know what happened   But  
22   the vehicle had overturned   He had hit a tree, we surmise  
23   from the damage to the tree   There was a branch sticking out  
24   of his mouth   The vehicle was on top of him   He was  
25   unconscious

1           He sustained severe head injuries, a ruptured spleen,  
2 broken collarbone, broken ribs, two permanent teeth knocked  
3 out, damage to his jaw, facial injuries   He spent a month at  
4 Children's Hospital, two weeks of that in intensive care   He  
5 came close to dying several times   Again, he's not here  
6 because he doesn't remember any of this   I, unfortunately,  
7 remember every minute of it

8           There are a few things I would like to talk about  
9 First of all, I hope you don't mind, but I have with me  
10 Commissioner Statler's testimony from May 21, '85   And there  
11 were some things that he has said in that testimony that I  
12 think he said better than I could have   One of the main  
13 points is what he has called the hidden hazards of these  
14 vehicles   And that's something that I think is very, very  
15 important

16           "When it comes to three-wheeled ATVs, apart from any  
17 possible misuse or abuse, the very design of these vehicles  
18 may well render them inherently unstable and unreasonably  
19 dangerous   And so many users are wholly unaware of this  
20 ATVs look like they won't fall over   They look stable  
21 Because the vehicle looks stable, buyers assume it is   They  
22 assume it is safer than the dirt bike or trail bike, that it  
23 won't tip over, flip over or roll over   But the facts don't  
24 bear that out

25           "Clearly, not every ATV user recognizes and willingly

1 accepts the risks inherent in riding a vehicle Certainly  
2 children don't They can't Can a five-, seven-, nine-year-  
3 old," or in my case a 14-year-old, "really appreciate that  
4 they may be risking their lives or inviting life confined to  
5 a wheelchair if they somehow mess up in performing the tricky  
6 balancing acts that are required to ride these vehicles?"

7 He goes on to say, "To operate such a vehicle properly,  
8 the rider must induce instability There is no differential  
9 on the two rear wheels It is precisely the opposite of what  
10 our natural instincts tell us and everything our experience  
11 with such other vehicles has taught us There are hidden  
12 hazards in these vehicles They are inherently unstable "

13 This is one of the points that I would like to make  
14 This is something that concerns me greatly, that I think we  
15 have heard a little bit this morning, but not enough about  
16 And I am not an engineer I don't know the answer But I  
17 would like to know from people who do know, are these  
18 vehicles in their design, in their engineering, unstable? We  
19 have heard the incidents of rollover The panel just before  
20 talked about rollovers, hitting trees, about the one that  
21 went off the driveway and it didn't seem like such a small  
22 thing could cause such a big accident

23 Again, I'm not an engineer I can't answer this I  
24 can only speak as a parent and as a consumer My impression  
25 of this vehicle was it was safe, it was stable, there was no

1 reason why a child should ride it (sic)

2 I think not only do they have to be investigated to  
3 find out if they are physically and mechanically unstable,  
4 but the public as a whole has to become aware of these  
5 vehicles as dangerous People perceive of snowmobiles as  
6 being dangerous They perceive of motorcycles as being  
7 dangerous If they are concerned, caring parents, they do  
8 not allow their small children to ride these vehicles I  
9 don't think the public has that perception of this vehicle  
10 And while I don't believe it is the job of the Government to  
11 protect everybody from every hazard that there could be, I do  
12 think it's the job -- I will finish -- of the Government to  
13 protect innocent children from killing and maiming themselves

14 Thank you

15 MR SCANLON Thank you, Ms Sumner

16 Ms Petullo, how old are you?

17 MS PETULLO 11

18 MR SCANLON Welcome

19 MS PETULLO My name is Meg Petullo I'm 11 years  
20 old and live at 4012 West LeMont Boulevard, Mequon, Wisconsin  
21 On Friday, August 2, 1985, I was at my 10-year-old  
22 girlfriend's house and was driving their four wheeler, or TRX,  
23 on their blacktop driveway, with my girlfriend sitting behind  
24 me Both of us were wearing helmets

25 The wheels slid off the side of the driveway I lost

1 control of the TRX and ran into a barbed wire fence The  
2 next thing I knew I was sitting on the ground with my back  
3 against the fence The barbed wire had cut my neck from the  
4 right ear across to my left ear, and there was a lot of blood  
5 My girlfriend was screaming and asking me if I was going to  
6 die When we got to their house, I looked in the mirror and  
7 saw my windpipe

8 I then went to the hospital, where I was in surgery  
9 for a few hours and had well over 100 stitches The doctor  
10 said I was very lucky that the barbed wire did not cut my  
11 windpipe, because probably no one would have known what to do  
12 and I would have suffocated to death

13 MR SCANLON Thank you You did very well We  
14 will have some questions for you in a minute

15 Okay The next witness would be Noah Desmond

16 MR DESMOND My name is Noah Desmond I'm 16  
17 years of age My accident happened when I was 15 I was  
18 driving around our house on an ATV, and I went to take a turn  
19 I leaned into the turn, and the ATV turned too much There  
20 was a car parked in our driveway I panicked and pressed the  
21 accelerator instead of the brake I hit the left rear bumper  
22 of the car and smashed my foot, my left foot, in between the  
23 car and the ATC The ATV tipped once and was in the other  
24 side of the driveway when I woke up

25 I would just like to say I think there is something

1 wrong with the handling on the ATCs, and I don't like the  
2 setup, how they have the accelerator, the brake and the  
3 clutch and everything all on the handlebars So I think that  
4 should be changed There is something about that

5 Thank you

6 MR SCANLON Thank you, Noah

7 I believe our next witness is James Erickson

8 MR ERICKSON First of all, I would like to say  
9 that I thank God that Meg and Noah are fine today

10 Honorable Senator Kasten, distinguished members of the  
11 Consumer Product Safety Commission and its representatives,  
12 all panel members and anyone else represented in ATV safety,  
13 my name is Jim Erickson, and I'm representing literally  
14 hundreds and possibly -- I'm not sure exactly how many people  
15 here today for my son Thank you for the opportunity to  
16 speak to you today

17 I flew in from Minneapolis to speak five minutes for  
18 basically one reason Since our 12-year-old son's, Chris,  
19 accident, I have said many times that I would die for my son  
20 if he could be okay, but that's not possible However, being  
21 here to advocate safety to reduce similar risk to others is  
22 possible, and again I thank you for that I'm going to tell  
23 you what happened to Chris, why I think it happened, and what  
24 I think should be done to help prevent similar accidents from  
25 occurring in the future Some of these have already been

1       mentioned

2               Last Christmas Day my wife's brother took our 16-year-  
3       old son, Steve, for a ride and showed him how to operate his  
4       new four wheeler he got from his wife for Christmas    I  
5       distinctly remember when we arrived at his place that  
6       afternoon the machine was on his driveway, and I asked him,  
7       "Is this thing stable?" He replied, "That's why Pat bought  
8       it for me over the three wheeler "

9               Anyway, Gene let Steve drive it alone, and somehow  
10      Chris, our 12-year-old, got on the machine with Steve    Steve,  
11      apparently thinking it was safe, let Chris drive with him  
12      riding behind him, just as his uncle had done with him  
13      Chris was with Steve just a few minutes -- I'm not sure  
14      exactly, probably not more than five -- when they went up a  
15      slight incline, and you have a picture of that incline, at an  
16      angle, and the machine stopped    Somehow I think Steve knew  
17      enough to jump off and get out of its way    But Chris, I  
18      suppose trying to protect his uncle's machine, held on    And  
19      from what I have learned, after a couple revolutions, the  
20      saw-foot peg landed on Chris' right temporal area, where it  
21      continued to rest until Steve righted the machine

22              After a while Chris rested in the hospital and had a  
23      series of four to five major operations on his head and has  
24      been in a coma ever since    The last time I saw my son awake  
25      was when he was opening Christmas presents    I think Chris,

1     for all practical matters, died that day, but we haven't been  
2     able to bury him

3             Dr Kryle, a neurologist at Gillette Children's  
4     Hospital in St Paul, reportedly said that is the worst head  
5     injury he has ever seen     Another neurologist has said if  
6     Chris comes out of the coma, the best we can expect for him  
7     is to be at the level of a four- or five-year-old for life  
8     And you've got some pictures of him in his current condition,  
9     which they were taken last Thursday evening     Many have asked  
10    if it would have been better if he had died, and I'm not  
11    convinced that it wouldn't have been better

12            Some people think that accidents such as this just  
13    happen, but I don't believe that any more than I believe that  
14    God wanted this for Chris or the rest of us     I think Chris  
15    was vulnerable     And the main culprit was the machine itself  
16    and the people who design, manufacture, market and distribute  
17    such machines

18            Why do I think the accident happened?     First, I  
19    believe the four wheeler is inherently unsafe and never  
20    should have been made     Bonnie alluded to that     An expert  
21    engineer retained by our lawyer contends that it is unsafe  
22    and is, in some respects, more dangerous than the three  
23    wheeler     It is not stable, as my brother-in-law said

24            Second, advertising projects a fine, safe image,  
25    especially to children     The ads, without warning, show kids

1     riding on them     One four wheeler ad I recall seeing myself  
2     showed a Honda Fourtrax, the one that Chris was injured on,  
3     going straight up the wall at a farmhouse     I don't know if  
4     you saw that or not     I just wonder how many of these ads  
5     influenced my son

6             Third, when my sister-in-law purchased the machine,  
7     all she was given was the keys, a manual and instructions to  
8     read, a booklet     She received absolutely no training on the  
9     machine     I spoke with her the other night

10            Number four, neither my brother-in-law or our two sons  
11     received any training or were aware of the hazards of riding  
12     double

13            All of us were vulnerable that day, but I don't think  
14     we should have been     Chris was probably most vulnerable  
15     But I can assure that you there are literally thousands of  
16     12-year-olds out there just like Chris, not to mention all  
17     the others of other ages     I think Chris is a victim of our  
18     society, and I think that we owe him and other victims quick  
19     action     As Dr Tom Norowitz, a pediatrician at Gillette  
20     Children's Hospital in St Paul where my son was a patient  
21     for a time, has said, recalling all ATVs is the only way to  
22     totally solve the problem     I was thinking, why do people  
23     listen to doctors except sometimes when it comes to safety?

24            If this solution is not correct, what would I, as a  
25     father of a 12-year-old who has been critically injured on a

1 four wheeler, suggest to you to help protect others?

2 Number one, please study the machine and its defects  
3 and force manufacturers to make it more safe Also, how  
4 about better warnings, such as labels on the machines that  
5 kids can see and understand, read and understand? I look  
6 back to the Mr Yuk campaign for poisons and how that helped  
7 children They can understand that

8 Number two, regulate advertising of ATVs to show risk  
9 in addition to fun The fact is, and I believe this, this is  
10 very dangerous

11 Number three, dealers must adequately warn buyers  
12 about hazards and give adequate training skills to those who  
13 buy them Maybe we should require them to wear helmets

14 Number four, mandatory driver education of classroom  
15 and on-machine training is a must We in Minnesota have  
16 training for cars, motorcycles, snowmobiles, plus courses for  
17 firearms and watercrafts, and probably some others that I  
18 haven't mentioned Why not one in all states for ATVs? I  
19 was encouraged to hear what Senator Kasten said about what's  
20 happening in Wisconsin here

21 Number five suggestion might be mandatory helmet  
22 legislation, restricted hours of driving, et cetera

23 I'm just going to quickly finish Last night my wife  
24 -- I was telling her about coming over here, and she wished  
25 me well And I think she hasn't missed a day that she hasn't

1       cried and said a prayer for Chris    In fact, she said, "There  
2       isn't a day that I'm awake that I don't think about him "   I  
3       said a prayer that this trip would be beneficial to somebody

4               Today Chris would have been a seventh grader at junior  
5       high school, and I think he's going to be missed by a lot of  
6       people   Our son Steve starts high school as a junior, and I  
7       worry about him   Our daughter Tracy will be a sophomore at  
8       the University of Minnesota this fall, and I'm concerned also  
9       about her, as I am myself and my wife and all of our friends  
10      and other relatives   I want you to know that there are many  
11      families like us out there, and I hope we can do something  
12      for them

13              Thank you

14              MR   SCANLON   Commissioner Dawson?

15              MS   DAWSON   Thank you very much, Mr   Erickson, for  
16      your courage in coming here today and sharing those  
17      experiences with us

18              One of the reasons that we are coming out to the  
19      states is to listen to people who had experiences such as  
20      yours   I have heard similar stories in both Mississippi and  
21      in Texas   And as the parent of a son the same age of yours,  
22      believe me, you have all my sympathy and my prayers for his  
23      recovery

24              I was interested in what you said about the lack of  
25      any instruction or warnings on the machine on which your son

1 was injured Were there no labels that you recall giving any  
2 instructions, particularly about double riding? I think  
3 that's one of the rules which the industry itself and the  
4 associated trade association has been very, very firm about

5 MR ERICKSON As I recall that day, I looked at  
6 the machine very briefly But I haven't had a chance to ask  
7 my brother, or my brother-in-law, too many questions because  
8 there is a lawsuit pending And I was happy that my  
9 sister-in-law shared some of that information with me  
10 However, one attorney told me that the warning is very  
11 insufficient It's small, and it's hidden underneath the --  
12 apparently underneath the riding area It's not supposed to  
13 be a riding area, but a luggage rack And according to a  
14 spokesman, I believe it was for Honda, on 20/20, he said that  
15 it wasn't what they had hoped it would be And I think that  
16 that's an admission that it is obviously insufficient

17 MS DAWSON Ms Sumner, in your case you were, I  
18 think, correct in your feeling that there is a perception  
19 among parents who have never seen these vehicles before that  
20 they would not be a hazard You made some interesting  
21 comments in your statement about the need to educate parents,  
22 particularly Have you got any ideas which you can share  
23 with us as to how this can be done on the federal level?

24 MS SUMNER The only thing I can think of is what  
25 Mr Erickson just said about the Mr Yuk campaign I know

1     that I personally have tried to get my story in any kind of  
2     media I can, whenever I can, and to make sure that everybody  
3     I know knows about this     But, of course, I'm just one person

4             If there could be some kind of -- I don't even know  
5     what to say because so much of it rests on the manufacturers  
6     They are marketing these vehicles as toys     They are aiming  
7     them at young children, let's go out and have fun     They have  
8     to bear some of this blame     They have to bear some of this  
9     responsibility for killing young children     If adults want to  
10    go out and have fun and have recreation -- and the man who  
11    spoke first about the use for farmers, whatever, I'm not  
12    interested in that     I am talking about young children who  
13    are being killed and maimed and put in comas by these  
14    vehicles     And I am not willing to let the industry off the  
15    hook so easily

16            I don't think it is only the Government that bears the  
17    responsibility of letting people know     If the vehicle were  
18    not so dangerous to begin with and were not marketed towards  
19    children to begin with, the Government wouldn't have to worry  
20    about it     I mean, I don't know what the answer is     There  
21    has to be education, but are we going to have 90-second spots  
22    on Saturday morning cartoons to warn children?     That's fine  
23    with me     I don't know what to say     I'm not an engineer, I'm  
24    not a lawyer     I'm just a mother, and I am a consumer

25            MS   DAWSON     Thank you for sharing those thoughts

1 with us

2 Meg, what advice would you have to children who were,  
3 say, visiting someone, as Ms Sumner's son was, with one of  
4 these vehicles?

5 MS PETULLO Well, I would say to have really --  
6 to talk to someone who has ridden it a lot and know how to  
7 ride, and know how fast to go and in special areas and to  
8 stay away from special places And that's about it

9 MS DAWSON What suggestions would you have to  
10 make, Noah?

11 MR DESMOND Well, I would suggest that someone  
12 experienced should only ride one You have to be -- you have  
13 to have some muscle to control an ATC And they do tip easy  
14 So I wouldn't let a girl at that size ride an ATC, go off  
15 alone

16 MS DAWSON Do you have any friends that do ride  
17 ATVs?

18 MR DESMOND Yes The one that I crashed on was  
19 my friend's ATC, and he is 14 years old He's smaller than  
20 me I wouldn't suggest getting an ATC I have a motorbike  
21 right now, and it's a Honda 80 And a two-wheel cycle  
22 controls a lot easier than a three wheeler I don't know why,  
23 but it does

24 MS DAWSON Thank you

25 MR SCANLON Thank-you, Commissioner Dawson

1 Dr DeFlore?

2 MR DeFIORE Thank you

3 Noah, since you were just speaking, maybe I will  
4 address some questions to you What vehicle were you riding?  
5 Do you know what the model was, the ATV?

6 MR DESMOND 250 SX, I believe

7 MR DeFIORE 250? Did you have any training at  
8 all in riding ATVs?

9 MR DESMOND I drove that one around the night  
10 before, around my house quite a bit That's about all I had  
11 And I knew how to do the clutch and stuff I knew how to  
12 drive it

13 MR DeFIORE It belonged to a friend of yours, you  
14 said?

15 MR DESMOND Yes, it did

16 MR DeFIORE Did he have any training in --

17 MR DESMOND I really don't know

18 MR DeFIORE How experienced was he in riding ATVs?

19 MR DESMOND He had it for a couple months, so he  
20 was pretty experienced And his parents are very cautious  
21 about things like this, so he knew how to drive it You  
22 could tell he had control

23 MR DeFIORE Did you have any safety equipment on  
24 when you rode or --

25 MR DESMOND Yes, I had a helmet

1           MR DeFIORE    You had a helmet?  When you had your  
2   accident, did anything different -- , did the vehicle do  
3   anything differently that time than at other times when you  
4   had ridden it?

5           MR DESMOND    Yes, exactly    I can't really judge  
6   the steering of an ATC   Usually when I turn, it turns a  
7   little   But this time it turned a lot   And I couldn't move  
8   away from the car

9           MR DeFIORE    Was there anything that you could  
10   think of now, looking back on it, that you could have done  
11   that might have prevented the accident?

12          MR DESMOND    Yes    Hit the brake, not the  
13   accelerator   But I panicked, so --

14          MR DeFIORE    Meg, have you had training in riding  
15   an ATV?

16          MS PETULLO    Yes    Well, sort of   Not really   My  
17   friend just showed me right before I started riding it how to  
18   do it, but just briefly

19          MR DeFIORE    Okay    Before you had your accident,  
20   did you know that riding two on a bike was unsafe?

21          MS PETULLO    No, I didn't

22          MR DeFIORE    Did you know that riding on an  
23   asphalt surface was unsafe?

24          MS PETULLO    No

25          MR DeFIORE    As you think back about that accident,

1 can you think of anything that happened then that you could  
2 have done to prevent the accident?

3 MS PETULLO Probably put on the brakes, same  
4 thing But, yeah, I put the speed on instead of the brake,  
5 as he did I put the speed on

6 MR DeFIORE Ms Sumner, do you happen to remember  
7 what model bike it was?

8 MS SUMNER I don't remember, but I have it  
9 written down It was a 2 -- Honda ATC 200 M

10 MR DeFIORE Thank you

11 MR SCANLON Thank you all for coming We  
12 appreciate it

13 We will proceed with Panel No 4, composed of coroners  
14 and county representatives Dr William Fuller, coroner of  
15 Door County, Wisconsin, Sturgeon Bay, Wisconsin David  
16 Joswick, coroner, Marathon County, Wisconsin Michael  
17 Sohasky, County Forestry Extension Surface, Langlade County,  
18 Wisconsin, Medford Dr Stephen Hargarten, chairman of  
19 Wisconsin Safety Helmet Coalition He is affiliated with St  
20 Luke's Hospital, Milwaukee Jan Marsh, president, Milwaukee  
21 Audubon Society, Milwaukee And Richard Kieltyka I hope  
22 I'm pronouncing that correctly

23 Is that correct?

24 MR KIELTYKA Kieltyka

25 MR SCANLON Kieltyka, chief ATV and motorcycle

1 instructor, Northern Illinois University And William  
2 Fletcher, agricultural safety engineer, National Safety  
3 Council, Chicago

4 Welcome, gentlemen

5 Mr Joswick, do you want to start?

6 MR JOSWICK Thank you My name is David Joswick  
7 I am the coroner of Marathon County I would like to present  
8 to you today Marathon County's experience with ATV fatalities

9 If it's indeed true that there have been 22 fatalities  
10 reported in the state, then Marathon County has suffered  
11 through more than its share In the past 13 months we have  
12 recorded three fatalities involving the use of all-terrain  
13 vehicles The ages of the people involved in these  
14 fatalities varies widely But the fatalities bear some  
15 common element which I think would serve us well if we  
16 reviewed them very quickly I don't think we will find any  
17 new information here But I think that these three instances  
18 will serve to drive home some of the points which have been  
19 made by previous speakers

20 In July of last year we had a seven-year-old child  
21 killed while operating an all-terrain vehicle This  
22 seven-year-old child was operating the vehicle on her  
23 father's farm There was an even younger child, age 20  
24 months, riding along as a passenger on the all-terrain  
25 vehicle The seven-year-old lost control of the vehicle It

1        jumped over a road into a ditch, overturned and caused the  
2        death of the seven-year-old child

3                The second instance happened in November of '84 and  
4        involved the death of a 33-year-old man who was a passenger  
5        on an ATV driven by a 25-year-old    This vehicle was being  
6        operated on a sidewalk as it crossed the bridge on a city  
7        street    The vehicle scraped the railing of the sidewalk,  
8        turned over, and it is uncertain whether death was caused by  
9        the vehicle overturning on the passenger or whether he struck  
10       the pavement in some way

11               The third instance happened in June of this year in  
12       which three or two 15-year-olds were operating an ATV    They  
13       were operating the ATV on a country gravel road    They failed  
14       to stop for a stop sign and drove out into the path of an  
15       oncoming vehicle

16               A comparison to these three fatalities reveals some  
17       interesting things    In no cases was any protective head gear  
18       worn, either by the passengers or the operators of the  
19       vehicle    In two of the three cases, the operators were very  
20       unfamiliar with the operation of the vehicle    In one  
21       instance, the owner of the vehicle and the operator had had  
22       the vehicle one day    The other instance was that of the  
23       young child, who was clearly unable to operate the vehicle  
24       properly    The third instance involves the 15-year-old, who  
25       simply did not obey a common sense traffic control, even

1     though he was operating the vehicle illegally

2             I think that the incidence of these tragic deaths in  
3     our county is of great concern to the medical community in  
4     our area, as well as to the law enforcement community

5             With respect to the ages involved, I, as a parent,  
6     cannot believe that any parent would knowingly place their  
7     child in a situation of danger or potential harm     It seems  
8     to me, therefore, that the problem which has been discussed  
9     before of the perception of parents in particular of the  
10    danger of these vehicles is a very real problem

11            We see a large number of advertisements which appear  
12    very benign and do not address the dangers involved     I think  
13    it is absolutely essential that we attempt some sort of  
14    competency testing on the part of the operators of  
15    all-terrain vehicles

16            As I said before, my concern is shared by members of  
17    the medical community in our area, many of whom have  
18    expressed to me their concern over this issue     Their feeling  
19    is that all-terrain vehicles now represent one of the most  
20    common, if not the most common, cause of serious illness in  
21    children or injury in children, as seen in emergency rooms  
22    and clinics in our area

23            Thank you

24            MR   SCANLON     Thank you, sir

25            Mr   Sohasky?

1           MR SOHASKY   Thank you   My name is Mike Sohasky  
2   My address is Langlade County Forestry Department, Post  
3   Office Box 460, Antigo, Wisconsin   I believe on the handout  
4   it said Medford, but it should be Antigo

5           I'm here today to provide the Consumer Product Safety  
6   Commission with information regarding Langlade County's  
7   all-terrain vehicle program   This program is based on a  
8   local licensing requirement which establishes a registration  
9   system, new safety program, law enforcement, and provides for  
10   trail maintenance   As Senator Kasten mentioned, he mentioned  
11   a state-initiated action   This is a county-initiated action  
12   where we developed our own county system

13           Before I discuss our new safety program, I would like  
14   to discuss briefly our ATV program   Langlade County, with  
15   487 miles of state-funded snowmobile trails, ranks as the  
16   second largest county snowmobile trail network in Wisconsin

17           ATVs first appeared in Langlade County about 1978   At  
18   that time, the Langlade County Snowmobile Council and the  
19   Langlade County Board of Supervisors were considering a  
20   county snowmobile ordinance which would regulate off-road  
21   vehicles other than snowmobiles on snowmobile trails   The  
22   council and the Forestry and Parks Committee of the county  
23   board decided to allow ATVs on our snowmobile trails, with  
24   the stipulation that the machines be registered

25           On January 9, 1979, the county board adopted the

1 snowmobile ordinance This ordinance prohibited the use of  
2 motorized vehicles on snowmobile trails other than  
3 snowmobiles with one exception, the ATV ATVs were permitted  
4 on our countywide state-funded snowmobile trail system,  
5 provided they were registered, and the fee charged was \$6 per  
6 winter

7 The registration income provided funds for trail  
8 maintenance, signs, and our ATV youth safety program, which  
9 was developed at a later date Applicants are provided with  
10 a permit, and they get two decals to put on their machine

11 We have registered ATVs now for six years, and the  
12 following are numbers First year was 17 only 1979-'80 was  
13 17 1980 to '81, it jumped to 46 '81 to '82, 172 '82-'83,  
14 250 '83-'84, 369 And '84-'85, this past year, was 434 I  
15 think that shows the growth pattern for local county  
16 all-terrain vehicles That probably coincides with the  
17 nationwide figures

18 I would like to now discuss our youth safety program  
19 It was soon recognized that a potential safety problem  
20 existed on our trails with the young ATV operators These  
21 young operators were on trails that are regulated -- that  
22 regulates young snowmobilers So these machines are on  
23 trails that have a snowmobile regulation for young operators  
24 State snowmobile laws restrict the operating of snowmobiles  
25 by youthful operators And as a result, we decided to

1 restrict youthful operators of ATVs on our trail system, to  
2 be consistent with state laws

3 On October 12, 1982 the county board adopted a revised  
4 snowmobile trail ordinance which restricted youthful  
5 operators of ATVs on our trail system The ordinance  
6 followed the identical age restrictions as the state  
7 snowmobile law Thus, any individual between 12 and 16 may  
8 operate an ATV on our trail system, our snowmobile trail  
9 system, only after obtaining a valid snowmobile safety  
10 certificate, which is issued by the Wisconsin Department of  
11 Natural Resources, and an ATV safety certificate issued by  
12 the Langlade County Snowmobile Council This ATV course is  
13 supplemental to the DNR course and lasts about four hours  
14 Thus, a person must be certified to operate a snowmobile  
15 before being certified to operate an ATV on our trails No  
16 person under the age of 12 years may operate an ATV on an  
17 approved trail in Langlade County unless he is accompanied by  
18 either a parent or guardian or by a person over 18

19 This past year, four classes were held, with a total  
20 of 81 students certified to operate ATVs on snowmobile trails  
21 in Langlade County Our safety program, after three years of  
22 operation, has certified 227 individuals on ATV safety  
23 Drivers receive an arm patch, a certificate and a wallet  
24 identification card

25 We actually developed a safety patch that they can put

1 on their snowmobile suit, and they have a certificate they  
2 can put on their wall if they like, saying that they are  
3 certified in ATV safety We thought it was a nice thing, so  
4 it would give them some recognition for accomplishing a  
5 safety program that has not been accomplished before

6 Basic principles important to the safe and responsible  
7 operation of ATVs are covered We cover our ordinances and  
8 laws, the history of our program, objectives, aspects of ATV  
9 and snowmobile safety rules, winter driving operations,  
10 safety checks, planning, clothing, first aid, parts  
11 identification, laws and regulations And I have extra  
12 handbooks if you would like them All materials are free and  
13 provided by the registration fees

14 In conclusion, Langlade County regulates ATVs by a  
15 county ordinance We register the machines, and we use the  
16 money for our ATV program, for enforcing regulations,  
17 promoting safety for youthful operators And it provides the  
18 ATV enthusiasts with the privilege of using our 487 miles of  
19 snowmobile trails

20 Education of the ATV enthusiasts is one area that  
21 seems to be lacking in much of Wisconsin Since our program  
22 is now six years old, I am surprised personally by the  
23 compliance we have received The ATV enthusiast in our area,  
24 because of registration, is more aware of the laws, the  
25 registration requirements and where he can legally ride

1 Hopefully our safety program has provided the youth in our  
2 area an opportunity to gain respect and practice safety

3 Thank you, and I will answer questions later

4 MR SCANLON Thank you, Mr Sohasky

5 Dr Steve Hargarten?

6 DR HARGARTEN Thank you very much And I thank  
7 the panel for allowing me to give testimony

8 My name is Steve Hargarten I'm a physician at St  
9 Luke's Hospital Emergency Department here in Milwaukee,  
10 Wisconsin Milwaukee as a county does not have a vast  
11 experience with all-terrain vehicles, as some other counties  
12 do here in the state of Wisconsin

13 I would like to make one correction I am the  
14 chairman of the Wisconsin Safety Belt Coalition In some  
15 crowds I sometimes have to wear a helmet, since I am  
16 promoting seat belts and the mandatory use of those seat  
17 belts in cars But it is a safety belt coalition

18 My --

19 MR SCANLON I apologize for what was said

20 DR HARGARTEN My experience with all-terrain  
21 vehicles is twofold One, reading the grim statistics  
22 associated with them, and two, having had an experience about  
23 one month ago driving in Waukesha County on the hilly roads  
24 that are outside of Holy Hill and seeing two what appeared to  
25 be about 13- or 14-year-old kids riding an all-terrain

1 vehicle on the road without any helmet gear and going against  
2 the flow of traffic

3 What I have to provide in terms of testimony is what I  
4 feel is the result of a combination of factors that bear out,  
5 from looking at the vital statistics, the experience of the  
6 state of Wisconsin regarding mortality As was mentioned,  
7 there have been approximately 22 deaths There has been a  
8 review of 17 deaths, those deaths that occurred in '83 and  
9 '84 And some interesting aspects of that data have come out,  
10 and I would just like to briefly mention those to you

11 First of all, the age range of the people who have  
12 died associated with the usage of all-terrain vehicles has  
13 ranged from age 70 to age seven So these are not just  
14 limited to children, though I think that children or  
15 adolescents provide some of the more common people who use  
16 these vehicles But I thought that was of interest and  
17 should be mentioned

18 Secondly, the most common cause of or immediate cause  
19 of death with these individuals is a head injury 70 percent  
20 of these victims died due to a head injury

21 I might make a correction, that the oldest individual  
22 who died on an all-terrain vehicle was 78, but he had a  
23 cardiac arrhythmia, and I feel that the cause of death was  
24 not due to the all-terrain vehicle but was due to his heart  
25 condition

1           The second interesting statistic would be related to  
2       where these injuries have occurred    As was mentioned by the  
3       coroner, the road is one common location   And the farm  
4       presents the second common environment for these serious  
5       injuries   Between the two, farm and roads, they account for  
6       80 percent of the injuries

7           My suggestion -- prior to making the suggestion, there  
8       is no data available statewide that I am aware of regarding  
9       the morbidity due to these vehicles   And these are just  
10      simply the mortality figures

11          My strong suggestion to the panel and to those  
12      involved in state legislation would be to call for a  
13      mandatory usage -- aside from the safety education, which I  
14      think is excellent, and aside from the usage or restriction  
15      of those vehicles to certain areas, would be to mandate the  
16      requirement of wearing a helmet when operating this vehicle  
17      I think a usage, proper usage, of a helmet would greatly  
18      reduce the incidents of morbidity and mortality due to these  
19      vehicles

20          Thanks very much

21          MR   SCANLON    Thank you very much    When you're  
22      talking about morbidity, you're talking about injuries and  
23      deaths, or only injuries?

24          DR   HARGARTEN   Just injuries that do not result in  
25      death, but injuries that could range from a sprained ankle to

1 a head injury that renders the individual completely  
2 dependent on medical personnel to survive

3 MR SCANLON I see Thank you

4 Ms Marsh, would you introduce your colleague, please?

5 MS MARSH This is Robert Kral, one of our board  
6 of directors

7 MR SCANLON Thank you

8 MR KRAL Good morning, ladies and gentlemen On  
9 behalf of the Milwaukee Audubon Society, representing 3,500  
10 members, I would like to thank you for the opportunity to  
11 speak today

12 It is evident, from a number of accidents involving  
13 ATVs and the potential increase in the number of deaths, that  
14 regulation of use and education of the results of use are in  
15 order I do not want to belittle the aspect of people  
16 injured on these machines, but I am sure you have heard or  
17 will hear a great deal about that aspect of operation  
18 Safety also means the well-being of people and other objects  
19 affected by the machine In that light, I would like to make  
20 a few comments on the environmental aspects of the machines

21 As stated in Product Safety and Liability Reporter  
22 dated 10/26/85 by Alan R Isley, president of Specialty  
23 Vehicle Institute of America, a group that supports off-road  
24 vehicles, the type of person who buys an ATV is usually hard  
25 to instruct, buys it for freedom and adventure, and usually

1 resists training

2 Audubon is involved in the Moss-American site listed  
3 with Super Fund On last inspection, 9/2/85, ATV tracks were  
4 found through areas of 50 percent creosote concentration  
5 This area was clearly marked not to enter These ATVs are  
6 spreading as poison around

7 A serious situation in a similar -- a situation  
8 similar in nature to this existed on the Brule River in  
9 northwest Wisconsin After posting No Cans or Bottles on the  
10 river, the people who tubed the river continued to litter and  
11 cause problems with other users of the river The answer to  
12 the problem was to ban all tubing on the river

13 If the people who use these machines will not heed  
14 signs, then no area of environmental sensitivity can be  
15 protected

16 We must also be concerned with ATV-caused erosion  
17 These machines have no differentials, which not only  
18 contributes to the machines' lack of stability, causing many  
19 accidents, but every time the vehicles turn, one tire scrubs  
20 the surface of the ground bare When used on muddy ground,  
21 the damage is multiplied many times

22 Since these machines are not regulated, unauthorized  
23 modifications are made which not only increase noise, which  
24 scares wildlife off nests, but increases air pollution, which  
25 the state is spending large amounts of money to clean up

1           Again, since no permit is required to use ATVs, small  
2 children who do not have the reflexes, strength or even the  
3 ability to read are using these machines   The ATV industry  
4 states children as small as four years old can operate these  
5 machines   How can such young children tell between hiking  
6 trails and ATV trails, which will result in more people being  
7 hurt?

8           In summary, it is time for the Federal Government to  
9 take action which will not only protect the people who choose  
10 to use these machines, but to protect those of us who choose  
11 not to use ATVs or have them in our outdoor peace

12           Thank you

13           MR SCANLON   Thank you, sir

14           Mr Kieltyka?

15           MR KIELTYKA   Good morning   I must concur with  
16 Bonnie Sumner's comments earlier about the risk of the  
17 vehicles and the other commissioner's attitudes, also  
18 Unquestionably, riding ATVs involves risk, just as riding a  
19 bicycle, smoking a cigarette or getting out of bed in the  
20 morning   The end we all pursue is finding a level of risk we  
21 can accept in our day-to-day living

22           One of the problems I see with ATV riding is that  
23 people don't acknowledge the risk involved with riding a  
24 motor vehicle   ATV riding is not like riding a motorcycle in  
25 that it doesn't handle like a motorcycle   It is not like

1 riding an automobile because it doesn't operate like an  
2 automobile Many first-time ATV riders are deceived by the  
3 fact that an ATV at rest balances itself

4 Further, ATVs with four wheels have visual  
5 similarities to automobiles These factors mask the risk  
6 involved with ATV operation, such that many riders never  
7 suspect any difficulty in operating the vehicle

8 Further, parents caught in this deception allow  
9 children to operate the vehicles without training or  
10 supervision, likewise not recognizing that it is a motor  
11 vehicle Just as you wouldn't allow a child to use a power  
12 saw unsupervised, they shouldn't be allowed to use ATVs  
13 unsupervised Just as you wouldn't allow a child on a  
14 motorcycle or a moped without a helmet, they shouldn't be  
15 left on an ATV without proper protective gear

16 I see operator education as the answer It can take  
17 many forms, either active courses for the operators, actively  
18 hands-on trained in the course and educated not only in  
19 vehicle operation but responsible riding, or it can take  
20 passive forms, such as video tapes, reading material and  
21 different activities that parents and children can  
22 participate in together

23 There are three lessons I see as very important in ATV  
24 education that can significantly reduce the accident problem  
25 Number one, operating any motor vehicle involves risk We

1     need to acknowledge that risk with ATVs

2             Number two, you must take a personal responsibility  
3     for your safety and for the safety of those around you     In  
4     operating an ATV, that means if I own it, I have control over  
5     who rides it     If you're not trained, you don't ride it  
6     That's a big problem with show and tell, where somebody gets  
7     a new vehicle     I get excited about it, so I want to show you  
8     the vehicle     "Here, here's how to ride it, go "     That's a  
9     big problem with this vehicle     You can't do that

10            And number three, ATVs do not handle like any other  
11     vehicle     You must, therefore, take the time to learn and  
12     properly ride an ATV and practice it

13            Another thing I think needs to be brought out is that  
14     it is not an ATV     It is an AATV, an almost-all-terrain  
15     vehicle     It does not handle on all terrains, as we are  
16     seeing on roadways and in changing surfaces when you go from  
17     one surface to another     For instance, on gravel, loose  
18     surfaces, the ATV operates differently than it does on paved  
19     or hard-packed surfaces

20            In admitting the risk of a motor vehicle operation,  
21     the operator must survey the dangers inherent to the activity  
22     and determine the best means of reducing the dangers to an  
23     acceptable level of risk     For example, ATV riders must  
24     recognize that an ATV, like a motorcycle, provides no  
25     operator protection as an auto does     To minimize this risk

1 to an acceptable level, the rider must dress in appropriate  
2 protective clothing This testimony you have in written form  
3 I have handed that out earlier

4 I would like to address a couple other things that  
5 have been brought up earlier this morning The comments on  
6 rider error, for instance My full-time job is dealing with  
7 motorcycle rider training I know from that that, in auto  
8 driving and auto accidents, as well as in motorcycle  
9 accidents, only 2 percent of the accidents are from vehicle  
10 failure Most of it is operator error, in particular with  
11 ATVs because they do not handle like other vehicles They  
12 look like other vehicles They look like big wheels or  
13 tricycles They may look like an auto if they have four  
14 wheels But they do not handle like other vehicles

15 The idea of inducing instability that has been brought  
16 up is incorrect In order to turn, there are two techniques  
17 The technique you use depends on the speed you are traveling

18 Large-scale training is available, and it will be very  
19 soon The NIU motorcycle safety program covers a 13-county  
20 region and annually trains over 1,500 riders In the next  
21 year I will be creating a parallel ATV training program in  
22 this area

23 And in conclusion, I would like to show some evidence  
24 that it is available In the training at Strickland Downs, I  
25 trained instructors in a three-county area so far Some of

1 those instructors are here Some of their training that has  
2 trickled down into 4-H clubs has not only gone to the local  
3 4-H, but also to 4-H state activity So it is spreading, and  
4 it will spread significantly very soon

5 Thank you for the opportunity

6 MR SCANLON Thank you, Mr Kieltyka

7 William Fletcher?

8 MR FLETCHER Thank you, Chairman Scanlon My  
9 name is William J Fletcher I'm an agricultural safety  
10 engineer employed by the National Safety Council in Chicago  
11 I am accompanied today by Todd Turiff, our manager for public  
12 and youth safety

13 The National Safety Council is concerned about reports  
14 of serious injuries being incurred by users of all-terrain  
15 vehicles, but it does not have data or statistics not already  
16 entered into the record at this and your previous hearings  
17 We do wish to affirm our desire to assist in the mitigation  
18 of hazards arising out of the use of these vehicles, whether  
19 for recreation or for work, work being my main consideration

20 I participated in the industry-sponsored ATV rider  
21 safety training course held August 26 in Illinois The  
22 training was extremely helpful in understanding the operation  
23 of the vehicle and greatly extends my own awareness of the  
24 enthusiasm shown by ATV operators But the ride is demanding  
25 I might add that, being nearly 60 years of age, despite a

1 fairly good physical condition, the aftereffects lasted about  
2 four days of that training period

3 At the current time the National Safety Council is  
4 planning two publications addressed to safe use of ATVs The  
5 agricultural department is preparing a ruralized prevention  
6 bulletin tentatively titled Safe Use of ATVs in Agricultural  
7 Work This bulletin will emphasize the importance of  
8 maintenance and pre-ride checks of the vehicle Although  
9 basic riding skills will be discussed, participation in an  
10 organized rider training course will be urged The remainder  
11 of the publication will be devoted to agricultural  
12 applications and how they may affect the safe operation of  
13 the vehicle and the implements being used

14 The second production will be a booklet, again  
15 tentatively titled Safe Operation of All-terrain Vehicles  
16 Although directed primarily at the recreational user, it will  
17 touch on the agricultural and industrial uses made of these  
18 machines It also will urge participation in organized  
19 safety training The text and illustrations will offer a  
20 review of riding practice techniques and maintenance check  
21 points Use of protective gear is stressed Preparation for  
22 the riding environment and advance planning is a high  
23 priority in this guide

24 I might also mention that the agricultural division of  
25 the National Safety Council has formed a task force on ATV

1     safety     The first meeting will be in October, and we hope to  
2     come forward with some national programs and campaigns to  
3     increase awareness of the hazard and the mitigating  
4     techniques that will continue to make these vehicles useful,  
5     practical and of value to our citizens

6             We thank you for the opportunity to present this  
7     information

8             MR   SCANLON     Thank you, Mr   Fletcher     We are  
9     delighted to see the involvement now of the National Safety  
10    Council with this safety problem    If we could cooperate in  
11    any way in your safety ad campaign, which you said would  
12    commence in October?   Is that correct?

13            MR   FLETCHER    We are meeting in October to make  
14    plans for the approaches that can be made toward accident  
15    prevention on ATVs

16            MR   SCANLON     If we can cooperate, co-sponsor or  
17    anything with you, we would be more than delighted to do so

18            MR   FLETCHER    Thank you

19            MR   SCANLON     And our resources would be made  
20    available to you

21            Dr   Hargarten, I had a number of questions concerning  
22    your review of the 17 deaths    Did all those occur in  
23    Wisconsin?

24            DR   HARGARTEN    Yes

25            MR   SCANLON     They did    Were helmets used in any

1 of those where there was a head injury?

2 DR HARGARTEN I do not have that information  
3 available That's not required to be mentioned on the death  
4 certificate So if there were individuals using the helmet,  
5 it may or may not have been recorded There may be other  
6 individuals who may know the specific deaths that occurred  
7 due to head injury, and they know for sure that the person  
8 didn't wear a helmet But I'm not sure

9 MR SCANLON Would those medical records of the 17  
10 be available to the Commission?

11 DR HARGARTEN Yes I can give you the individual  
12 who would get you that information

13 MR SCANLON Would you do that? Would you give  
14 that to Mr Brott? We will request it

15 DR HARGARTEN Yes

16 MR SCANLON Is there any unpublished data  
17 available that would be useful to the Commission at this time  
18 on any of your investigations?

19 DR HARGARTEN Again, that information, I will be  
20 giving it to the Commission so that you can look at it in  
21 more detail I didn't mention it, but 80 percent of the  
22 individuals were males This is just epidemiological data

23 MR SCANLON Okay Would the usage of alcohol be  
24 mentioned in these reports?

25 DR HARGARTEN I could not answer that

1 specifically In looking at the variety of individuals, I  
2 would not be able to tell you whether or not alcohol was a  
3 risk factor involved in these deaths

4 MR SCANLON Okay Thank you

5 Mr Joswick, you mentioned one of your cases involved  
6 a seven-year-old child Do you think a seven-year-old has  
7 the coordination to operate an ATV with training?

8 MR JOSWICK I wonder whether that's true In the  
9 case, this particular accident occurred in a fashion in which  
10 it was unclear whether the throttle stuck or whether the  
11 younger child interfered with the throttle or whether the  
12 seven-year-old panicked and grabbed the throttle We can  
13 tell you that the throttle was found to be working, in  
14 working condition, when the vehicle was inspected after the  
15 accident

16 I think that children at this age have, number one, a  
17 feeling of relative invincibility and at the same time lack  
18 of sheer physical size and strength which is necessary to  
19 adequately control a vehicle once it has gone out of control,  
20 for whatever reason

21 MR SCANLON So you question the advisability of a  
22 seven-year-old under any circumstances using the ATV, is that  
23 correct?

24 MR JOSWICK I certainly would

25 MR SCANLON Let me ask you this Would helmets

1 have prevented any of the head injuries of these children?

2 MR JOSWICK I think in at least two cases, had  
3 the individuals been wearing helmets, they would have stood  
4 an excellent chance of survival

5 MR SCANLON Could you provide to us the medical  
6 records on these cases?

7 MR JOSWICK I can provide you my coroner's  
8 records, yes

9 MR SCANLON Okay That would be helpful Could  
10 any of these accidents have been prevented?

11 MR JOSWICK I think clearly yes

12 MR SCANLON How?

13 MR JOSWICK I think, in my opinion, without  
14 question the seven-year-old shouldn't have been on the ATV  
15 without definite supervision The --

16 MR SCANLON Even with supervision, should a  
17 seven-year-old be using an ATV?

18 MR JOSWICK Not alone Supervision could be  
19 defined in many ways Supervision --

20 MR SCANLON Well, you really can't have two  
21 people riding one So if the supervisor --

22 MR JOSWICK Is not on the vehicle --

23 MR SCANLON Is not on the vehicle --

24 MR JOSWICK No, it's my opinion they shouldn't

25 MR SCANLON Should not

1 MR JOSWICK They should not

2 MR SCANLON And they shouldn't be double riding,  
3 correct?

4 MR JOSWICK Correct

5 MR SCANLON So then your answer might be it's not  
6 advisable for a seven-year-old to use an ATV

7 MR JOSWICK My answer is definitely that it's not  
8 advisable The other instance of a totally preventable  
9 accident was the instance where the ATV was operated on the  
10 road and went through a stop sign

11 MR SCANLON Okay But you could provide that  
12 material to us

13 MR JOSWICK I certainly can

14 MR SCANLON Mr Sohasky, let me ask you about --  
15 you mentioned that you have been providing riding training  
16 for three years to 12- to 16-year-olds Again, does a  
17 12-year-old have the proper coordination to handle an ATV?  
18 An average 12-year-old?

19 MR SOHASKY I believe an average 12-year-old  
20 probably would Like someone mentioned earlier this morning,  
21 even a 12- or 13-year-old can be uncoordinated or be -- the  
22 problem you find with 12-year-olds and 13-year-olds and older  
23 is the comprehension level You still find people -- we give  
24 a test, a written test and a field test, as part of our  
25 program And we have to actually go through the test

1 questions with some 14-year-olds, even to go over the  
2 questions verbally with them, because they cannot even read  
3 properly to comprehend a question And the same thing, I  
4 think, can happen physically You know, it has to be such a  
5 way that the person can understand And I would say a  
6 12-year-old should be able to handle the operation of a  
7 machine like that, with proper training

8 MR SCANLON Okay Thank you

9 Commissioner Dawson?

10 MS DAWSON Yes I'm going to start with Mr  
11 Fletcher I want to also compliment the National Safety  
12 Council on becoming involved in this issue and hope that you  
13 will be able to share your experiences and some of your  
14 efforts with the Commission

15 In your development of the training material, you  
16 talked about some tips for riders, and also in some other  
17 materials that were devoted specifically to agricultural  
18 safety use Have you been working in any way with industry  
19 representatives on any of these materials?

20 MR FLETCHER Most of our work to date has been  
21 with safety specialists of the state universities and the  
22 extension service And much of the material that we have so  
23 far gathered has been screened from existing safety materials  
24 We have not made any conscious effort to canvass the entire  
25 industry as far as getting cooperation from manufacturers

1 In one or two cases we have asked for specific information on  
2 products, and they have been very free with the information  
3 to us

4 MS DAWSON Does the National Safety Council plan  
5 any nationwide informational type effort for this kind of  
6 safety program?

7 MR FLETCHER We expect this to be an outgrowth,  
8 but we want to complete our development process before we  
9 mount any major publicity or public service type program

10 MS DAWSON Mr Joswick, you mentioned your  
11 suggestion or your strong recommendation that there needs to  
12 be competency testing And I'm wondering if -- are you aware  
13 if the new state law in Wisconsin is going to require such  
14 testing?

15 MR JOSWICK I am not aware of whether or not that  
16 will be required or not

17 MS DAWSON Let me ask Mr Sohasky I know that  
18 in your county program you mentioned that you do give that  
19 kind of testing Have you been involved in any way with the  
20 development of the state law?

21 MR SOHASKY Yes, I have We worked with Larry  
22 Freidig, who was here earlier, on developing that program  
23 And I imagine the administrative rules have not been written,  
24 the fine details But I'm sure it will have something in  
25 there with field testing, somewhat similar to the snowmobile,

1     where the person has to get on the machine and take it out in  
2     a controlled environment to see if that person can physically  
3     pass that portion of the test in order to get certified to  
4     operate the ATV

5             MS   DAWSON    How do you deal with the problem of  
6     the agricultural or the farm use, which is then transferred  
7     to recreational use? How do you reach those types of riders?

8             MR   SOHASKY   I don't understand the question

9             MS   DAWSON    Well, in other words, if a person has  
10    one of these vehicles on a farm, it is used for utilitarian  
11    purposes Dr Hargarten has mentioned already that that is,  
12    in his data, shown to be one of the major areas where  
13    accidents are occurring Is there any way, a specific way,  
14    to reach this type of an individual?

15            MR   SOHASKY    I think if we reach it by state law,  
16    if the law is passed -- which it has been passed here in  
17    Wisconsin, hopefully other areas -- that once they leave  
18    their farm property, they must have proper registration and  
19    training for younger -- for their young children That  
20    happens a lot in our area There are a lot of farms And  
21    people get off the farm, and the next minute they're out  
22    riding across the country, their children And our county  
23    ordinance has controlled that in the wintertime, and  
24    hopefully state law will control that on a year-round basis  
25    And that's a major problem, is young farm children

1 MS DAWSON But so long as they are on their own  
2 private farm property, there is no enforcement vehicle at  
3 this point

4 MR SOHASKY In our ordinance, correct Our  
5 ordinance does not consider them with their own farm property  
6 The state law, I believe, does I can't go into specifics,  
7 but the state law does have some controls on their own  
8 property

9 MS DAWSON The state law will

10 MR SOHASKY Will, right, in '87

11 MS DAWSON Dr Hargarten, I want to get back to  
12 the data you developed from the 17 incidents that you  
13 investigated You mentioned -- I thought it was especially  
14 interesting -- the data, first of all, that 70 percent were  
15 head injuries

16 DR HARGARTEN That's correct Immediate cause of  
17 death on the death certificate was due to a head injury

18 MS DAWSON Do you have any further information as  
19 to how the accident occurred? Such as flipover, rollover,  
20 how the victim --

21 DR HARGARTEN That information would probably be  
22 available from the police reports or from the coroner's  
23 reports that were made out at the time of the accident

24 MS DAWSON Can you share with the Commission  
25 staff the information that you mentioned about 80 percent of

1 the injuries being located either on roads or on the farm?

2 DR HARGARTEN That's correct Yes, that  
3 information will be provided I will give you the  
4 information

5 MS DAWSON Because I think that's very  
6 significant Of course, on-road use is illegal Farm use,  
7 there is a question as to how much even local government can  
8 regulate that type of use

9 DR HARGARTEN It's interesting, with the Safety  
10 Commission -- with the National Safety Council here, that of  
11 the eight deaths that occurred on the farm, half of those  
12 individuals were over 20 So whether or not they were  
13 recreationally going around the farm, or more likely that  
14 they were actually using the vehicle for some function on the  
15 farm, I think that's an indication that the Safety Council's  
16 long history of being involved in occupational-related  
17 injuries is proper here

18 MS DAWSON It may be a significant piece of  
19 information that you have come up with

20 Mr Kieltyka, could you give us a little more  
21 background about what your professional training is and what  
22 your -- you said that you were a full-time instructor in  
23 motorcycles and ATVs

24 MR KIELTYKA My full-time occupation is to  
25 organize and administer a motorcycle rider training program

1 in the northern 13 counties of Illinois outside of Cook  
2 County It's a Department of Transportation grant Annually  
3 we train about 1,500 riders at 11 different training sites  
4 We have both on-road training for novice riders, off-road  
5 training for riders, and training for experienced riders  
6 What we will be doing now is diversifying the program into  
7 other areas The first thrust that I intended to look into  
8 is ATV training

9 My training is through the Motorcycle Safety  
10 Foundation as an instructor and an instructor trainer, and  
11 through the Specialty Vehicles Institute of America as an  
12 instructor trainer

13 MS DAWSON Is the Motorcycle Safety Foundation  
14 also involved in the ATV effort?

15 MR KIELTYKA The Motorcycle Industry Council,  
16 like -- or excuse me, the Motorcycle Industry Council The  
17 Motorcycle Safety Foundation and the SVIA are all industry-  
18 sponsored groups They are funded entirely by the industry

19 MS DAWSON Now, your emphasis has been on rider  
20 training and education

21 MR KIELTYKA Yes

22 MS DAWSON Let me ask you about the vehicle  
23 itself Do you -- in the ones that you have experience with,  
24 do you believe that the design and performance aspects are as  
25 safe as they can be?

1           MR KIELTYKA    I think they are as safe as they  
2   need to be, yes

3           MS DAWSON    Would you make a recommendation for  
4   any changes?

5           MR KIELTYKA   Yes    I would like to see keys on  
6   them so that unsupervised use could be monitored    So if I'm  
7   not riding it, I take the key

8           MS DAWSON    That is a significant one    Because  
9   most of them are either started by rope pull or switch

10          MR KIELTYKA   Right   Many of the new models are  
11   coming with that, as I am seeing   Other than that, I can't  
12   see anything that I would change on the vehicle   I would  
13   like to see the standardization of controls so that if I go  
14   from one vehicle to another, I know where the controls are  
15   without any question   And I think that, too, is coming, from  
16   the grapevine that I hear

17          MS DAWSON    We heard from an earlier panel about  
18   one death and another serious injury on a four-wheeler ATV  
19   In your experience, do you see any significant difference  
20   between the risks associated with the three and four wheeler?

21          MR KIELTYKA   I see the four wheeler as being  
22   riskier, the reason being it looks more like an automobile  
23   and, therefore, there is less acknowledgment of risk with the  
24   vehicle   People look at it and say, "Sit on it and go "  
25   That's not the case   It turns, it handles, identical to a

1 three wheeler

2 MS DAWSON Identical?

3 MR KIELTYKA In my opinion, yes

4 MS DAWSON We have heard some other comments that  
5 there is some difference in handling characteristics of the  
6 four wheeler, as opposed to the three wheeler In your  
7 experience, you feel they are very, very similar in the way  
8 that they --

9 MR KIELTYKA Very similar, yes Both have pros  
10 and cons, mostly based on the terrain you are going to be  
11 operating in On very hilly terrain, I would prefer a four  
12 wheeler On flat terrain or narrow trails, I prefer a three  
13 wheeler

14 MS DAWSON Do you think that the average  
15 purchaser of one of these machines is really aware of the  
16 differences in terrain that they need to consider in making  
17 their purchases? Or do they really believe that this vehicle  
18 is going to be operable? You mentioned, I think, that they  
19 were really AATVs

20 MR KIELTYKA Right They are AATVs, right I  
21 don't think the operators, the new buyers, now are aware, but  
22 I think they definitely can be made aware I think that's  
23 where the Consumer Product Safety Commission can make a  
24 significant dent in the accident problem we are having, is in  
25 public awareness The clamor that has come up because of the

1 CPSC hearings has been good for the industry It makes  
2 people want training I think that's the most significant  
3 thing that we can do

4 My job is to make training attractive, to make people  
5 want to take it and to make it available to them That's  
6 happening very quickly I have probably three or four  
7 referrals a day coming off a national toll-free number coming  
8 to me directly Every instructor in the country is getting  
9 those referrals The number is getting out, it's getting  
10 publicized, and people are getting very interested in  
11 training

12 MS DAWSON Is this number the one that is being  
13 circulated through the SVIA's materials?

14 MR KIELTYKA Yes It is interesting they are  
15 using the same phone number they are for motorcycle training  
16 So the training number is becoming available

17 MS DAWSON What about the numbers of instructors?

18 MR KIELTYKA Right now we are working on a  
19 pyramid I am the chief instructor That's an instructor  
20 trainer I was trained in the first class of those There  
21 has now been a second one, and a third and fourth are already  
22 planned As that pyramid -- that's the top of the pyramid  
23 As that grows, the trickle-down will happen I have already  
24 trained over four classes of instructors in this area and in  
25 surrounding areas

1           One of the most significant things that I see  
2           happening in that trickle-down is that, in two instances, the  
3           group that asked me to do training was a club, in one case  
4           the Logan County Sportsman's Club that has 18 miles of marked  
5           trails   It's their intention to train four of their people  
6           as instructors and ATV cops   They will license everyone that  
7           rides at their club   And if you goof up and break the rules,  
8           you don't ride at our club   The second group was the Lake  
9           Region ATV Club, Lake County, Illinois   They have trained  
10          four of their people to be ATV instructors because they see  
11          Lake County, Illinois as a good place for training

12                MS   DAWSON   In recognition of the concerns that  
13                have been expressed by the representatives of the Audubon  
14                Society, what efforts are being made in these user clubs and  
15                by your instructors to caution users about the environmental  
16                damage that can be done?

17                MR   KIELTYKA   There are a couple of things   The  
18                training course that I deal with has a part in it about  
19                responsible riding   In particular, where to ride and how to  
20                ride   Soil compaction is a problem   Soil displacement is a  
21                problem   Doing -- frequently doing turns in the same place  
22                over and over will move the soil   The class I teach deals  
23                with that   It says put it back

24                A number of the commissioners and CPSC representatives  
25                here have been through a course   Those that have been

1 through the course that I taught were all taught at the same  
2 place, weeks apart They will see -- I showed them in the  
3 morning, before we started, there were no trails There were  
4 no paths that you could see in the terrain At the end of  
5 the day there were By the following week there were not  
6 The terrain that I use to train on reclaims itself very  
7 quickly It's appropriate for that

8 I think there are appropriate places to ride, and  
9 likewise there are inappropriate places to ride I don't  
10 think it's right, though, to penalize the group for the  
11 errors of a few individuals

12 MS DAWSON Thank you very much

13 MR SCANLON Thank you, Commissioner Dawson

14 Dr DeFlore?

15 MR DeFIORE Thank you

16 Mr Sohasky, you described some of the training  
17 programs that you had for six years Are you able to share  
18 with us any specific effects of that training that you have  
19 documented in any way that's made a difference in terms of  
20 the accidents that would have happened absent the training,  
21 absent the rest of the program?

22 MR SOHASKY Well, I would like to say today  
23 actual documentation is pretty difficult to come by We have  
24 no reporting system All I know is, I have taught two  
25 individual classes, probably about 30 people, myself And I

1 have not run into any of them on the trails or via court  
2 systems or juvenile court systems That's all I can say  
3 None of them have been injured so far in the county that have  
4 been trained But that's not to say it won't happen  
5 Accidents do happen But hopefully they have not shown up  
6 yet, any problem areas

7 MR DeFIORE In response to another question about  
8 the coordination of 12-year-olds, you indicated that you felt  
9 that would be reasonably expected to be found How about the  
10 issue of judgment with that age group?

11 MR SOHASKY Well, it gets back to -- I believe  
12 somebody mentioned earlier today about parents I think the  
13 parents, along with education, are the key to the whole  
14 problem And until the parents can understand also, you know,  
15 and put in their children respect -- I think someone  
16 mentioned from the Audubon Society about respect for nature  
17 and things It can happen out there if the parents have  
18 enough guidance behind these children to provide that  
19 12-year-olds -- there are people out there 22 years old that  
20 do not have any respect You know, on a motor vehicle, it  
21 makes no difference at all It gets down to basic  
22 personalities and upbringing, I believe

23 MR DeFIORE Mr Kieltyka, not to wear you out  
24 with a whole lot of questions, but as an instructor, or chief  
25 instructor, you have a lot of background we are interested in

1 Presumably you have ridden a number of the different vehicles  
2 over your time Do you find significant differences among  
3 the vehicles in terms of their handling characteristics?

4 MR KIELTYKA Yes

5 MR DeFIORE Are there any things that have led  
6 you -- you know, certain kinds of configurations or certain  
7 kinds of characteristics of vehicles that may be either  
8 better suited to different age groups, better suited to  
9 different experience levels, where some are better suited for  
10 use generally?

11 MR KIELTYKA I think ATVs are becoming very  
12 similar to the motorcycles that I deal with daily The  
13 motorcycle industry has begun specializing their products  
14 You have very specialized units for touring, for street use,  
15 for commuting use and for a variety of different sport uses  
16 I see ATVs doing the same thing They are becoming more  
17 specialized They are having more utilitarian type vehicles,  
18 where they are more implement oriented for towing, for  
19 pulling, things on that order There are other vehicles that  
20 are more recreational oriented

21 I am most familiar with those that are recreational  
22 oriented When I buy, I look for the creature comforts I  
23 like electric start, I like suspension, things like that

24 As far as riding the different vehicles goes, I can't  
25 say that I prefer one over the other I like the comfort of

1 the suspended vehicle, but having ridden the mountain trails  
2 in California on an unsuspended vehicle, it works fine I  
3 can't say that a sprung vehicle works any better

4 The one thing that I have found is a significant  
5 influence on the handling of the vehicles is proper  
6 maintenance The tires are meant for two to six pounds  
7 Inflating them beyond that -- I have seen it up to 24 pounds  
8 in a training class, where someone brought it in with tires  
9 pumped up like that because it goes faster Yes, it does  
10 That's one of the design features to make it go slow, is  
11 proper tire pressure

12 The other problem that has gets back to the Audubon  
13 Society More tire pressure means more soil impaction and  
14 more significant damage to the soil If we keep the tires  
15 properly inflated, it's a safer vehicle, and it's better for  
16 the environment

17 MR DeFIORE Is your opinion, then, whether the  
18 vehicle has mechanical suspension or not is not a safety  
19 consideration, from a rider's point of view?

20 MR KIELTYKA I can't answer -- I can't address  
21 that from an engineer's point of view I can say I prefer a  
22 suspended vehicle That's the best answer I can give you on  
23 that

24 MR DeFIORE You indicated you were having this  
25 segmentation of the market and different vehicles for

1 different types of people We had a young man this morning  
2 testify, Noah Desmond, that he was injured on a bike that  
3 belonged to a 14-year-old friend of his, and it was a 250 SX  
4 Do you think that's a reasonable bike for someone to sell to  
5 a 14-year-old novice rider?

6 MR KIELTYKA We get back into the age problem I  
7 don't think you can make a blanket statement on age

8 MR DeFIORE A 14-year-old novice rider

9 MR KIELTYKA A novice rider? I don't think -- I  
10 think a novice rider can handle a vehicle like that I don't  
11 know that it's an appropriate vehicle for that person I  
12 don't know the type of use that person is going to give it  
13 If they are going to be riding on the track, a 200 SX is an  
14 appropriate vehicle For recreational use, I don't think a  
15 vehicle with a clutch and five or six gears like that is an  
16 appropriate vehicle That's a much more sport-oriented model

17 MR DeFIORE We have heard all morning about  
18 tipovers and rollovers and flipovers In your experience in  
19 training people, are there some common errors that people  
20 make that lead to that scenario?

21 MR KIELTYKA Can I pass that on to someone?

22 Vic, do you think you could handle a bike that started  
23 tipping over, after having taken training?

24 MR DeFIORE I can ask Vic later

25 MR KIELTYKA Okay The answer is yes, a trained

1 rider can recognize how to handle that As a vehicle turns,  
2 it wants to roll More weight to the inside compensates for  
3 that You can turn the vehicle by keeping all the wheels on  
4 the ground, and that's the proper way to turn it

5 MR DeFIORE You have indicated several times  
6 earlier that there were a number of specific handling  
7 characteristics that had to be learned in terms of  
8 three-wheeled vehicle support, ATV as opposed to other  
9 vehicles Can you state what maybe two or three of the most  
10 important ones would be, in your mind, as an instructor?

11 MR KIELTYKA In particular, that they do not turn  
12 like any other vehicle They do not turn like an automobile,  
13 unless they have a differential If that's the case, yes  
14 You turn the handle or the steering mechanism, and they turn  
15 With a solid rear axle, they do not You need to lean into  
16 the turn to control the lift of that inside wheel, ideally  
17 keeping it on the ground, lightening it enough to scrub a  
18 little bit That is, in particular, the most important

19 The body English necessary for riding this vehicle is  
20 the single most important thing that that rider needs to know  
21 Going up hills, you weight forward Going downhill, you  
22 weight back In a turn, you weight to one of the sides  
23 That's an important thing that needs to be brought out to  
24 people

25 MR DeFIORE So you would say it would be not

1 prudent for people to ride an ATV unless they have had some  
2 kind of training, how to master these specific skills

3 MR KIELTYKA Some kind of training I think is the  
4 best way to put it I think this training can be  
5 appropriately handled either through educating parents or the  
6 new buyers or through the dealership And I see that  
7 happening The dealerships that I work with in the  
8 motorcycle program -- as a matter of fact, all dealerships  
9 have now been distributed a packet of information for their  
10 ATV buyers through the SVIA It has been distributed to  
11 every ATV dealer in the country, as I understand it, with  
12 tips booklets, practice guides, toll-free number, et cetera

13 MR DeFIORE Maybe one final question of Dr  
14 Hargarten As you obviously have dealt with death associated  
15 with ATVs or with injuries, how would you compare the kinds  
16 of injuries that people get in other similar off-road  
17 recreational vehicles, with something like skiing, with those  
18 that occur with ATVs?

19 DR HARGARTEN I think with snowmobiles, with  
20 motorcycles and with ATVs, I think there is similarities in  
21 the types of injuries that you see, with a predominance of  
22 head injuries occurring I think with vehicles such as this  
23 that go off or can go to an environment that is not  
24 controlled, such as the Langlade County trail system, I think  
25 that increases the risks to the driver to hit an object, to

1 hit a rock on the hillside, to hit a tree or something and  
2 overturn That would increase the risk of injury So in  
3 terms of being unique, it is unique, I think, because the  
4 environment it goes into is unique

5 In terms of looking at all the injuries together, I  
6 think you do see a similarity with motorcycles, and that is  
7 head injuries predominate And along with educational  
8 programs, if you simply require the usage of a helmet, you  
9 decrease that mortality and morbidity promptly, as has been  
10 seen in a number of states that have done that with  
11 motorcycles I am not aware of any that have done that with  
12 ATVs as yet

13 MR DeFIORE Mr Sohasky, in your training program,  
14 is equipment covered?

15 MR SOHASKY Definitely Equipment is one of the  
16 main portions that is covered We take the machine apart,  
17 and we go into winter driving and safety clothing,  
18 particularly helmets We require them -- when they hop into  
19 that ATV to take the safety course, they have to have a  
20 helmet with them, or else we supply a helmet And we  
21 encourage goggles use, too A helmet is one thing that is  
22 stressed quite a bit

23 MR SCANLON Thank you, Dr DeFlore

24 Thank you, all panelists We will recess now until  
25 1 30, and we will commence then with Panel No 5 Thank you

1 (Recess was taken from 12 30 p m to 1 35 p m )

2 MR SCANLON Let me ask the panelists for Panel  
3 No 5 to come to the table Dr Jeffrey Huston, associate  
4 professor, engineering sciences and mechanics, Iowa State  
5 University at Ames, Iowa Thomas Schultz, attorney from  
6 Green Bay John Hanitz, mechanical engineer from Green Bay  
7 Dr Kenneth Johnson, pediatrician with Milwaukee Medical  
8 Clinic, Glendale, Wisconsin

9 Is that pronounced Huston or Huston?

10 DR HUSTON Huston

11 MR SCANLON Huston Sorry

12 Do you want to start, Dr Huston?

13 DR HUSTON Okay I want to thank the Commission  
14 for allowing me to come here and give my views on --

15 MR SCANLON Do you want to speak into the mike?  
16 Let me just, if I may interrupt you, lay out the ground rules  
17 You are limited to five minutes We would ask, if you have a  
18 prepared text, if you would leave it with Lou Brott at the  
19 door And when you see the yellow light, that will indicate  
20 that your time is up Thank you

21 DR HUSTON All right I want to thank the  
22 Commission for allowing me to appear here and give my views  
23 on the all-terrain vehicle A little bit about my background,  
24 I am a professor of engineering science and mechanics I do  
25 research in the area of vehicle dynamics and biodynamics I

1 have looked at recreational vehicles with regard to vehicle  
2 dynamics, and head and neck injuries with regard to  
3 biodynamics Dynamic modeling is my specialty

4 I started to look at the ATV, ATC, three and a half  
5 years ago And my first impression, if you look at the thing  
6 on the stage, is it looks safe It has large track tires, it  
7 is psychedelic in color, it looks like it has a very low  
8 center of gravity height However, that's very deceptive  
9 These machines are extremely dangerous And I characterize  
10 these by two major problems One is an overturning  
11 instability The other is a handling and maneuvering problem

12 Let's first look at overturning instability My  
13 opinion is, this is the type of instability or accident which  
14 causes the most injuries It's a pitch-roll type of injury,  
15 pitch-roll type of accident If you consider an axis from  
16 the front tire to one of the rear tires, I will call that a  
17 pitch-roll axis Normally, on four-wheel vehicles, you could  
18 either pitch, which is the front-to-back motion, or roll,  
19 which is the side-to-side motion But on a three-wheel  
20 vehicle, you can both pitch and roll at the same time These  
21 vehicles can overturn much, much faster, much, much quicker  
22 than a regular four-wheel vehicle

23 Part of the problem with this particular vehicle we  
24 see on the stage, it is a three-wheel design It is top  
25 heavy It has a high center of gravity With the rider on

1 top of there, the center of gravity height is approximately  
2 the seat height Some of the machines have inadequate  
3 suspension All they have is the soft tires

4 Some of the remedies? One would be to add a fourth  
5 wheel That still does not take care of the geometrical  
6 problem with the vehicle -- that is, a high seat G height

7 Add suspension, front and rear independent Lower the  
8 center of gravity height It means you've got to get that  
9 seat lower You need to increase the wheel base, which means  
10 get the distance between the front axle and the rear axle  
11 further apart Increase the track width, spread the rear  
12 tires

13 Still we're going to have overturning problems You  
14 have to somehow eliminate or decrease the severity of injury  
15 One thing you could do would be add some kind of a cage to  
16 protect the rider Add rider restraints

17 You must also have mandatory rider protection Make  
18 the riders wear helmets, shoulder pads, neck cushions  
19 You've got to protect the head and the spinal column

20 You must have mandatory training Even experienced  
21 riders, even with the safest of vehicles, even if you get  
22 more of these things into the vehicle, there are still going  
23 to be overturning accidents You must restrict the riders to  
24 licensed riders only

25 With regard to handling, maneuverability, there are

1 severe handling problems You cannot do accident maneuvers  
2 on this vehicle It does not respond fast enough You've  
3 got steering problems You have to lean from one side to the  
4 other to make the vehicle turn

5 You must change the rolling radius of the tires Why  
6 is this? Because most of these vehicles have a rigid axle  
7 If you had a differential, that would solve some of the  
8 problems It would also create some You also do not have  
9 enough weight on the front tire, so that then the force  
10 needed to turn the vehicle is not there It overturns very  
11 quickly, and you have then steering problems

12 Again, some of the remedies Some of these vehicles  
13 do not have brakes in the front and the rear You must have  
14 brakes both in the front and the rear You must add a little  
15 more weight to the front wheel so you can effectively steer  
16 this vehicle You must add a differential, at least that  
17 option, so that people can steer the vehicle effectively  
18 And you must again have suspension, both front and rear

19 What else needs to be done? You must continue to do  
20 research and development in the area of recreational vehicles,  
21 particularly in these all-terrain vehicles You must improve  
22 the safety of the vehicle This is a responsibility of the  
23 industry and government and independent researchers This  
24 takes money You have to develop models, and you have to do  
25 a lot of tests

1           Second, you must increase the public awareness on  
2   these vehicles   These vehicles are dangerous   More  
3   dangerous than motorcycles, more dangerous than automobiles  
4   The public has to develop a respect for this vehicle   You  
5   must develop advertisements so that the public is aware that  
6   this machine is dangerous and what the utilities are and what  
7   the risks are when you take it out in the field

8           And there must be legislation   Again, licensed  
9   drivers only   No one under 16   You must provide mandatory  
10   instruction   You must develop a set of standards, limit the  
11   size of the engine, add brace, add suspension, add safety  
12   devices, require helmets, shoulder pads and neck braces

13           Thank you

14           MR   SCANLON   Thank you, Dr   Huston

15           Mr   Schultz?

16           MR   SCHULTZ   Thank you, Mr   Chairman   I am an  
17   attorney practicing in Green Bay, Wisconsin   I represent  
18   three clients who have been injured on ATVs   One of my  
19   clients was a 15-year-old high school student who was  
20   unfortunately killed when she was riding one of these  
21   all-terrain vehicles in a hay field that was level   There  
22   were no obstructions in her path, there were no problems with  
23   the terrain, when all of a sudden the front wheels locked up,  
24   and she was flipped over the front end of the vehicle, and  
25   the machine flipped as well and came down on top of her,

1 landing on her head She died from a skull fracture

2 The second client of mine was a 12-year-old girl who  
3 was going very slow on level terrain in her farm yard, had a  
4 5-year-old brother on the back as a passenger Once again,  
5 there were no obstructions in front of her, and she was on a  
6 flat, level surface She was flipped off of the all-terrain  
7 vehicle and the machine came down on top of her, causing two  
8 skull fractures and now nerve damage and a permanent hearing  
9 loss in one of her ears

10 At the time that the two girls were injured, the one  
11 that is now dead was 95 pounds, and the 12-year-old was about  
12 80 or 85 pounds

13 I also represent a 15-year-old boy who was injured on  
14 an all-terrain vehicle when he was making a turn in a cul de  
15 sac The cul de sac had some gravel, and it was level, also  
16 with no obstructions in front of him Fortunately for him,  
17 he was a six-foot-plus farm boy who was well trained in  
18 football When the ATV turned, he rolled as well, with his  
19 football training And, fortunately, he only suffered  
20 injuries to his arm which are not permanent in nature, as the  
21 other two individuals that I have talked about

22 We have not started suits yet, but I intend to do so  
23 shortly And I can share with the Commission that, with  
24 respect to the death of the 15-year-old girl, our research  
25 has indicated that there is a design defect with the

1 all-terrain vehicle

2 All of these, by the way, were Yamahas

3 The defect in the front axle design was such that it  
4 allowed contaminants to enter into the front axle, and the  
5 front axle bearings seized, freezing, if you will, causing  
6 the vehicle to stop and flipping the rider off

7 In the situation with the 15-year-old boy, once again,  
8 this injury was directly a result of a defect in the front  
9 axle design, where one bearing seized And I believe that is  
10 why that all-terrain vehicle rolled to the right rather than  
11 flipping, as in the first one

12 With respect to the 12-year-old girl, we believe that  
13 this accident occurred because of the maneuvering/steering  
14 problems that have previously been mentioned To turn the  
15 vehicle, one has to lean out in the direction opposite of  
16 your turn You have to shift your weight Unfortunately,  
17 with an 80-pound girl, they do not have the power nor the  
18 control to adequately keep the vehicle under control and do  
19 what is necessary to make the things maneuver correctly  
20 With this girl, there was no instructions or training or any  
21 of the other items that were mentioned by the previous  
22 witnesses

23 I, too, believe that, in this situation, there  
24 should be some requirements imposed by the Commission to make  
25 training mandatory, to curtail the advertising that is on TV

1 that shows these vehicles virtually indestructible, being  
2 able to go over all types of terrains, all types of  
3 conditions and in every type of weather These things are  
4 just not that infallible

5 I think in all cases that there should be some safety  
6 devices worn by the riders and that there be an age limit  
7 Because it appears, from my investigation into these matters,  
8 that the younger rider, specifically with the heavier vehicle,  
9 just doesn't have the chance to react properly in the event  
10 of a problem

11 With all of the engineering principles that we  
12 discovered, there are inherent problems with centers of  
13 gravity and how these vehicles are controlled, or should be  
14 controlled

15 I see my light is on, and I will conclude my comments  
16 right there

17 MR SCANLON Thank you, Mr Schultz

18 Mr Hanitz?

19 MR HANITZ I'm a registered professional engineer  
20 in the state of Wisconsin, and a good portion of my business  
21 is in forensic engineering And in this particular case,  
22 working with Mr Schultz and other law firms, and in a couple  
23 of other cases, we have formed a pretty steep opinion in a  
24 design defect, particularly in the Yamaha vehicle, where two  
25 particular situations occur The shafting in its axle design

1 permits contaminants to enter into the bearing race And the  
2 bearings, not being permanently sealed, create a problem, and  
3 it locks up inside, causing the vehicle to overturn This is  
4 the area that we are working in presently

5 We are also well aware of the instability that Dr  
6 Huston talks about, and we fully concur in that area And  
7 with that lack of stability, with this freezing of the race,  
8 it takes very little to flip the vehicle over

9 That's about all I have at this time I would like to  
10 thank the Commission for their help and assistance up in  
11 Green Bay

12 MR SCANLON Thank you We appreciate your coming  
13 Dr Johnson?

14 DR JOHNSON Good afternoon I am Dr Kenneth  
15 Johnson, a practicing pediatrician in the Milwaukee area, and  
16 district chairman elect to oversee pediatricians in the  
17 public care in nine midwestern states for the American  
18 Academy of Pediatrics

19 My interest and concern about all-terrain vehicles is  
20 in the rapidly increasing numbers of these machines being  
21 distributed in this country, along with the escalating  
22 numbers of injuries and the total lack of restriction for  
23 operator safety There are no regulations as to the  
24 construction of these machines, nor are there any  
25 recommendations as to the age and the training requirements

1 of the operators of most states, or by the federal government  
2 These combined problems have led to many injuries and of all  
3 age persons and must be addressed

4 We can learn from experience that other power machines  
5 that have caused injuries needed both voluntary restrictions  
6 plus safety features and/or mandated regulations Examples  
7 such as motorboats, snowmobiles, motorcycles, lawn mowers,  
8 chain saws, et cetera, will verify that all need controls  
9 governing manufacturers and be properly used to prevent  
10 injury as much as possible

11 Two minors from our office who presented their  
12 testimony earlier today and told you their stories of  
13 injuries, one wearing a helmet on a neighbor's four-wheeled  
14 ATV and the other an experienced rider on a neighbor's  
15 three-wheeled ATV, vividly point out the need to do something  
16 to prevent injury Statistics are mounting and are published  
17 elsewhere Here in Wisconsin we rank in the nation second in  
18 the number of deaths reported on ATVs This is nothing to be  
19 proud of

20 I would like to comment on previously unreported  
21 statistics from the emergency room at St Joseph's Hospital  
22 in Marshfield, Wisconsin In this one emergency room in  
23 Marshfield, from January 1, 1985 to August 1, 1985, a mere  
24 seven months, they have seen 30 patients injured on ATVs 14  
25 of these patients, almost 50 percent, have been under 16

1 years of age 20 percent of these injured required  
2 hospitalization from one to 30 days, and one patient still  
3 remains in the hospital in a coma on a respirator Three of  
4 these accidents were on four-wheeled ATVs and the rest, or 90  
5 percent, were on three-wheeled ATVs 65 percent of these  
6 victims were not wearing helmets

7 Reviewing information shows that the most serious  
8 injuries were in children too young to drive these motor  
9 vehicles Many instances involved children with other  
10 children as passengers, using these machines on private  
11 property where they are designed to run

12 The injuries continue to accumulate How long must we  
13 wait before what has to be done -- what had to be done before  
14 with other powered machines referred to earlier, such as  
15 snowmobiles and boats, be done? What can be done? In  
16 Wisconsin there was an assembly bill, No 105, to define ATVs,  
17 when and at what speed they may be operated, and age  
18 restrictions applied to the operators The need for this  
19 legislation to protect our children where they are too  
20 immature to protect themselves was so important that it passed  
21 as an attachment to the state budget bill in July of '85

22 We certainly need either voluntary or mandated federal  
23 regulations on the manufacture of these machines for safety  
24 A federal model bill, perhaps such as the one in Wisconsin,  
25 to help other states control usage would also be helpful

1           Specifics of the regulations pertaining to these  
2           vehicles should be, ATVs should be built with better terrain  
3           handling and stability, since they were intended to be used  
4           on unproven, untested, unknown contoured terrains

5           Number two, easily identified brake and throttle  
6           controls should be standardized as to their location on the  
7           machines and can be easily identified and responsive to  
8           urgent situations

9           Number three, a shifting mechanism with gear control  
10          or speed governors needed to control speed and power when  
11          used on this uncertain terrain

12          Number four, padding is needed for the occupant, as  
13          well as perhaps roll bars, windshields    Seat belts could be  
14          added to prevent injuries from unforeseen and unexpected  
15          impalements

16          There also needs to be regulations on the minor  
17          operators as such    Number one, age restrictions    The  
18          statistics would suggest that operators not be allowed under  
19          12 years of age, and that from 12 to 16 years of age either  
20          be accompanied by an adult or pass a certified training  
21          course, and at 16 may be used for individual use

22          Number two, instruction courses on the operation of  
23          the machine, machine handling, and how to anticipate problems  
24          and the possible hazards are necessary

25          Number three, suggested protection of the operator,

1     such as helmets, padding of the garments, gloves, goggles,  
2     boots, reflective clothing are all necessary

3             Number four, community awareness by the parents,  
4     physicians, dealers, et cetera of the potential hazards of  
5     these machines are important and that these machines are not  
6     toys     Let us not maim more people before we start an  
7     extensive prevention program

8             Thank you

9             MR   SCANLON     Thank you, Doctor, very much

10            Mr   Schultz, were the two girls and the boy that you  
11     described -- were they wearing helmets?

12            MR   SCHULTZ     None of the three were

13            MR   SCANLON     None were wearing helmets

14            MR   SCHULTZ     None were

15            MR   SCANLON     Had any of the three received any  
16     kind of formalized training?

17            MR   SCHULTZ     No one, other than operating the  
18     machines after they were picked up and learning as they went  
19     on     Self-taught, in essence

20            MR   SCANLON     Both you and Mr   Hanitz say that this  
21     particular manufacturer has a product defect     Is this defect,  
22     in your opinion, applicable to the other three large  
23     manufacturers of ATVs?

24            MR   HANITZ     I haven't found it yet and have not  
25     been hired to do so

1 MR SCANLON So you have only looked at one  
2 manufacturer, and you have come up with this opinion

3 MR HANITZ That's correct

4 MR SCANLON Okay

5 Dr Huston, you suggested the possibility of, I think  
6 you called it rider restraints as an optional improvement  
7 Could you explain what these are?

8 DR HUSTON Well --

9 MR SCANLON Are these seat belts?

10 DR HUSTON They could be seat belts One machine,  
11 the Honda Odyssey, I would classify as an all-terrain vehicle  
12 Yet it is not in the same configuration as this machine on  
13 the stage It is much wider in track width, longer in wheel  
14 base, it has a roll cage, and it does have a shoulder harness  
15 that comes around the operator Now, to be able to come up  
16 with some kind of roll cage or seat restraint or rider  
17 restraints, the vehicle probably has to be significantly  
18 redesigned And what it would take to actually hold this  
19 rider on the machine I'm not prepared to say at this time  
20 But there should be some way to come up with some kind of  
21 restraint to hold that rider on the machine

22 MR SCANLON In your opinion, does a suspension  
23 system improve the safety?

24 DR HUSTON Yes, it does But still the  
25 underlying inherent instability of the machine is its

1 geometrical makeup Again, the high CG, the short wheel base,  
2 the short track width And even though the suspension is  
3 needed, absolutely needed, it does not overcome that  
4 geometrical problem

5 Now, what the suspension allows you to do is keep the  
6 wheels on the ground so that the rider continues to have  
7 maneuverability Without suspension, the vehicle can become  
8 airborne, and then you're at the mercy of the machine  
9 Wherever it lands, that's what happens

10 MR SCANLON You also suggested a rider cage for  
11 protection?

12 DR HUSTON Yes, sir

13 MR SCANLON Would that really be feasible?

14 DR HUSTON Again, you have to talk of what are  
15 the consequences Are you going to allow these people to get  
16 on the machine and have the overturning, or are you not?

17 MR SCANLON Tell us how it would work

18 DR HUSTON Well, again, you would have to somehow  
19 design that into the machine It would probably mean a  
20 redesign of the machine Like I said before, the Honda  
21 Odyssey has those kinds of features, and it is an all-terrain  
22 vehicle

23 MR SCANLON It has a cage?

24 DR HUSTON It has a cage So that if you do roll  
25 over and you are strapped in, at least you are not going to

1 be falling on your head or your neck On this machine, if  
2 you overturn, you are going to have an injury, and probably a  
3 very serious one

4 MR SCANLON Okay Thank you  
5 Commissioner Dawson?

6 MS DAWSON Following on the same line of  
7 questioning, Dr Huston, the modifications that you mentioned  
8 that you would like to see in these vehicles, those extend to  
9 all the manufacturers that we know of?

10 DR HUSTON Yes, ma'am

11 MS DAWSON And you mentioned suspension, you  
12 mentioned differential, I believe, and widening the wheel  
13 base and quite a few other things Would any -- would these  
14 modifications really basically change the vehicle to the  
15 extent that it would affect its utility, or its recreational  
16 value even?

17 DR HUSTON To some extent You have a  
18 compromising situation The wider you make the track width,  
19 then the narrower your path is It means you can't go on as  
20 wide a path as you did before If you make the wheel base  
21 longer, then you may have a problem with scraping if you're  
22 going over very rugged terrain Again, if you've got some  
23 cage on top, then you may be hitting stuff as you go through,  
24 say, the woods But, again, probably you shouldn't be going  
25 through those types of situations anyway You are in a very

1 dangerous situation when you are in those types of  
2 environments

3 MS DAWSON In your role as a professor, associate  
4 professor of mechanics -- is that what it is? Mechanics  
5 engineering?

6 DR HUSTON Yes

7 MS DAWSON Have you been experienced in using  
8 these vehicles?

9 DR HUSTON I have ridden some just in my  
10 investigation with the vehicles But I am not what I would  
11 call a recreational rider

12 MS DAWSON Have you been in touch with any of  
13 those people that are recreational riders? In other words,  
14 have you had any contact with the user groups and those that,  
15 for example, use them for competition?

16 DR HUSTON No, I have not I have been involved  
17 with some litigation for plaintiffs

18 MS DAWSON Mr Hanitz, do you concur with any of  
19 the design modifications that Dr Huston has recommended?

20 MR HANITZ Yes, I do I could add a little bit  
21 of information here Back in 1973 I designed and built my  
22 own three-wheel ATV for my personal family I wrote Mr  
23 Johnson a letter dated 12 March '85 In that letter I  
24 included a photograph which I have here Maybe you could  
25 take a look at it It's a low center gravity type with the

1 engine in the rear, your feet to assist the steering It's a  
2 very stable vehicle, and it is very, very difficult to turn  
3 over We used that vehicle for about three years, and it was  
4 excellent

5 MS DAWSON This is one that you built yourself

6 MR HANITZ Yes, it is

7 MS DAWSON And are those design principles, you  
8 think, applicable to the kinds of uses that these vehicles  
9 are being used for?

10 MR HANITZ I do I believe with a roll bar as  
11 such added to the vehicle that I had, it would be a fairly  
12 safe vehicle

13 MS DAWSON Would you be willing to share that  
14 information with our engineering staff?

15 MR HANITZ Yes, I would

16 MS DAWSON I don't have any more questions

17 MR SCANLON Thank you, Commissioner Dawson

18 Dr DeFlore?

19 MR DeFIORE Doctor, have you discovered in your  
20 research any differences among, let's say, three-wheeled  
21 vehicles in terms of the characteristics we are describing  
22 now, the instability or handling characteristics?

23 DR HUSTON There are some slight differences in  
24 the tires, depending on whether it's a Japanese-made tire,  
25 United States-made tire The Japanese-made tires are more of

1 a natural rubber They tend to be more viscoelastic, stretch  
2 more with age They tend not to have a carcass inside  
3 Their stiffness characteristics with regard to maneuverability  
4 and suspension are much less than the United States tires,  
5 which tend to have a carcass inside

6 The geometrical aspect of the vehicles are all about  
7 the same There might be an inch difference here or there  
8 The weight might be a little different Some of the later  
9 manufacturers that got into the field, such as Kawasaki,  
10 Yamaha, Suzuki, tend to make some slight modifications  
11 compared to what Honda had for many years But yet the  
12 geometrical aspect ratio is about the same One manufacturer  
13 does have an option of a differential Different ones have  
14 different types of suspension on them But they are still  
15 basically geometrically the same They would behave about  
16 the same

17 MR DeFIORE Dr Hanitz, do you have an opinion?

18 MR HANITZ Well, I concur I haven't spent that  
19 much time in the overturn dynamics of the vehicle I have  
20 spent most of my time in the research of the design defects,  
21 particularly in the front axle assembly This is work I will  
22 be doing in the near future, now that we have had our  
23 metallurgical studies completed

24 MR DeFIORE In terms of the number of accidents  
25 we have seen, if one could assign them either to the

1 characteristics of the vehicle or the characteristics of the  
2 rider, about what percentage would you guess would be the  
3 cause of accidents, either the ones you have observed or the  
4 ones you have read about? Dr Huston?

5 DR HUSTON I would say at least 75 percent of the  
6 vehicle because of its inherent instability, about 25 percent  
7 of the rider The rider does contribute some things But  
8 then I think that's foreseeable as well

9 MR DeFIORE Dr Hanitz, do you have --

10 MR HANITZ I would concur with that, if not even  
11 the greater percentage in the dynamics of the machine rather  
12 than the person riding it

13 MR DeFIORE Dr Huston, going back to some of  
14 your suggestions for modifying the vehicle, most of them seem  
15 to be in the direction of moving the ATV toward the Odyssey  
16 as sort of the -- and I suppose the question arises, wouldn't  
17 that change dramatically the character of the vehicle, and it  
18 would no longer be what it was designed to be used for? Well,  
19 let me stop there

20 DR HUSTON I suppose you can argue that One  
21 thing is, you are talking about safety here You've got to  
22 move it in that direction to make the vehicle more safe  
23 People who ride this machine and who have not had an accident  
24 yet, or a serious accident, would contend that this vehicle  
25 is very safe, and they would argue vehemently against

1     changing the machine     Yet some of those same people, when  
2     they have an accident and it is serious, would then say they  
3     are never going to get back on that machine again     And as a  
4     consequence, you cannot just leave that machine the way it is

5             People are going to have accidents, whether they are  
6     novices or very experienced riders     And you have to try  
7     It's a moral obligation to make that machine as safe as  
8     possible     And if it limits the utility of the machine, so be  
9     it

10            MR   DeFIORE     Thank you

11            Dr   Johnson, you mentioned records that are available  
12     at St   Joseph's Hospital about the cases     Are those  
13     available for inspection?

14            DR   JOHNSON     Yes     You can contact Dr   Gerald  
15     Porter at the Marshfield Clinic, and he would be able to  
16     supply you with those, that information

17            MR   DeFIORE     Okay     And then an unrelated question,  
18     is it your recommendation that no one under 12 be allowed to  
19     use ATVs, or do you have some other age limitation that you  
20     recommend?

21            DR   JOHNSON     No one under 12 be allowed to drive  
22     them     I think they could certainly ride on them with an  
23     adult, but I don't think they should drive it     And from 12  
24     to 16 only if they have taken an approved training course and  
25     received a certificate and know how to drive it or

1 accompanied by, again, an adult

2 MR DeFIORE Does riding -- more than one person  
3 riding is believed to be inherently dangerous So what  
4 you're saying is no one should be a rider -- an operator  
5 should not be 12 years or younger

6 DR JOHNSON Yes Unless it is designed for two  
7 passengers

8 MR SCANLON They are not designed for two  
9 passengers

10 DR JOHNSON I haven't checked them all I'm  
11 sorry

12 MR SCANLON I don't know of any that's designed  
13 for more than one passenger Okay

14 DR HUSTON Well, can I comment on that?

15 MR SCANLON Yes, Dr Huston

16 DR HUSTON If you look at the seat there on that  
17 particular machine, and most seats, they are, in essence,  
18 designed for two passengers because two people can fit on  
19 that machine If you want to say it's designed for one  
20 passenger, then you're going to have to limit how that seat  
21 is designed And until the manufacturers somehow physically  
22 make it impossible for a second or a third passenger to get  
23 on that machine, then they are inviting other people to get  
24 on that machine That's a foreseeable type of thing  
25 Somebody else will get on that machine

1           MR SCANLON    I think we have -- the last panel is  
2   composed of dealers, and they're going to dispute what you're  
3   saying    But we will let them provide that testimony

4           Thank you gentlemen very much

5           I might say that if anybody has come late for any of  
6   the panels or failed to pre-register, that at the conclusion  
7   of the last panel we will allow anyone, then, to come up and  
8   speak for five minutes   That will be at the conclusion of  
9   the seventh panel

10          I would ask the user groups, Panel No 6, to come  
11   forward   Jerry Bergman from Pewaukee, Wisconsin   Larry Cook  
12   from Centerville, Minnesota   Larry Marowsky from Jefferson,  
13   Wisconsin   Bur Zeratsky from Green Lake, Wisconsin   Is  
14   there anybody else from this panel who is here?

15          Okay   We will begin with you, Mr Bergman

16          MR JERRY BERGMAN   My background is racing, and my  
17   son has been involved in racing for nine years   He got his  
18   first motorcycle at the age of five, which I bought all the  
19   safety equipment, helmets, boots, padding in the trousers,  
20   the shoulder pads, all the safety equipment   Full face  
21   helmets   He's been racing for nine years   He's been a  
22   Wisconsin state champion two times   He was fifth in the  
23   world in the Yamaha Race of Champions, and he just became  
24   about four weeks ago the three-wheeler national champion, pro  
25   motor cross   He races professionally

1           In that period of time, I have seen him crash from  
2 speeds of five miles an hour to 77 miles an hour on whole  
3 shots, with nine motorcycles going over the top of him,  
4 getting tossed through fences, and he has cracked his knuckle  
5 in over 300 crashes   Yet I travel on the roads with the  
6 particular job that I have from 3 30 in the afternoon until  
7 about 9 in the evening seeing hundreds of kids throughout a  
8 year riding in fields with no helmets, no safety equipment,  
9 probably no training whatsoever   And I believe that this is  
10 where the bulk of the injuries is coming from, is lack of  
11 parental supervision

12           Now, in the vehicles that we have ridden in the last  
13 year and a half, we have had three three-wheelers that we  
14 race through the fields and ride through the fields and off  
15 camber and bouncing all over the place, and he has never  
16 crashed and gotten hurt on them   We have never had a  
17 mechanical breakdown on our race bikes or anything that ever  
18 jammed on our bikes that caused him to crash   It was always  
19 rider error

20           He's been riding three wheelers since he's been 12  
21 years old   They can be ridden with no shifting of weight to  
22 steer and to handle adequately, as long as you ride within  
23 your capabilities   I don't believe they are any more  
24 dangerous than tricycles or a coaster wagon going down the  
25 hill, trying to steer the front of a coaster wagon   I

1 maintain that there is no parental supervision, hardly any  
2 safety equipment on these children, not one bit of proper  
3 training

4 And the last thing you would ever want on a motorcycle  
5 or on a three wheeler is some sort of a roll cage that is  
6 going to keep him on top, or a safety belt, if it does tip  
7 over and falls on top of him

8 I believe that the parents are reluctant to absorb the  
9 responsibility and are quick to shift the blame Recently in  
10 the Milwaukee Journal there was an article about a  
11 seven-year-old riding a three wheeler with a 20-year-old  
12 child (sic) in her arms And I would like to see if that  
13 woman had sawdust in her head that would allow a child to do  
14 that There are other cases where a child is going down the  
15 highway with a can of gas and going to get some gas or  
16 something or other that I read about and crashed I wouldn't  
17 think of sending my son down the middle of a highway on a  
18 three wheeler with a loaded can of gas I believe that the  
19 parents are shirking their responsibility when they purchase  
20 a machine like this and they say, "Junior, just take it out  
21 and ride it around in the field "

22 We in the racing community who travel across the  
23 country with our children, who take the entire family,  
24 barbecue at the race tracks, locally and nationally, sit  
25 there and just wonder what in the world are these children

1     doing on these bikes, when I just came back from a national  
2     race with maybe 300 to 400 competitors, they are racing at  
3     tremendous speed over obstacles, through berms, crashing left  
4     and right, and the worst I heard was a fractured wrist

5             That's all that I have to say

6             MR SCANLON     Michael, did you have any prepared  
7     comments?

8             MR MICHAEL BERGMAN     No, I don't

9             MR SCANLON     Okay     Thank you, Mr     Bergman  
10            Larry Cook?

11            MR COOK     My name is Larry Cook, and I'm from  
12     Centerville, Minnesota     And to give you a little background  
13     about myself, about eight years ago in the snowmobile  
14     community there was a real serious problem     So at that time  
15     five friends of mine started a new snowmobile association in  
16     Minnesota which grew in six months to 4,000 people     The  
17     reason we did this, to promote safety and the right use of  
18     snowmobiles     That year in Minnesota I was picked snowmobiler  
19     of the year

20            Four years ago I signed the incorporation papers to  
21     start the state association for three wheelers     I have been  
22     involved in two park boards, I'm assistant Scoutmaster, I am  
23     a little league coach, and have spent the entire early part  
24     of my life working with young people and sports     And I  
25     believe that when we talk about the safety of a piece of

1 equipment, we have to understand who is doing the purchasing,  
2 who is doing the training and who is doing the riding

3 And I heard testimony of a 14-year-old boy that rode a  
4 250 SX I really wonder if that 14-year-old boy went and  
5 bought that machine I will bet that his parents bought it  
6 for him, and I would probably think that his parents didn't  
7 even have him with Now, they might have

8 But sometimes what happens -- and I have seen it  
9 throughout the snowmobile belt in Minnesota -- where parents  
10 will put their children on three wheelers without any kind of  
11 training at all I have an instance that happened this  
12 weekend where I was out at a farm, and I was talking to a  
13 farmer about his three wheeler And I asked him, because I  
14 knew I was going to come here, about what kind of formal  
15 training did he give his son He said, "I didn't give him  
16 any training Because my 10-year-old son, he's already been  
17 driving a tractor for two years He shouldn't have to have  
18 safety training to drive a three wheeler "

19 Well, I think that what happens is that people shrug  
20 the responsibility They put the responsibility on the  
21 manufacturer, they put the responsibility on the law, they  
22 put the responsibility on a lot of places, when it really  
23 should be their responsibility Parents, dealers,  
24 manufacturers all working together to make these safe  
25 vehicles

1 I notice that, from listening to a lot of the people  
2 talk, a lot of the actions were without helmets The parents  
3 should have been responsible for getting their kids to wear  
4 helmets, to wear safety leg equipment, boots Sometimes  
5 shoulder pads if they feel the necessity for that But most  
6 of the time when you see people buying them, when you go to  
7 the resort areas in northern Minnesota, when you go to the  
8 resort areas in northern Wisconsin, you will see people on  
9 three wheelers telling little Johnny and little Suzie to take  
10 off and go ride and have a great time Well, you give any  
11 young person a piece of rock and a piece of twig and some  
12 rubber binders, he's going to make a slingshot and hit  
13 somebody or something The same thing goes with three  
14 wheelers

15 We have found in Minnesota that we are having an awful  
16 lot of good constructive use for three and four wheelers I  
17 know of offhand four or five companies, roofing companies,  
18 are using the three and four wheelers to do work There is a  
19 company called Schwing America, which makes concrete pumps,  
20 who right now has four three wheelers that they use on the  
21 job to shuffle men back and forth and have been using it for  
22 over a year and a half with no mechanical breakdowns, no  
23 accidents And they said that the four wheelers and three  
24 wheelers have boosted the morale of their company from going  
25 from one plant to another They used to use \$43,000

1     forklifts because the guys wouldn't walk     Now they use three  
2     and four wheelers to do it

3             I also have a letter with me from a very dear friend  
4     of mine who is a paraplegic, who was in a serious car  
5     accident and lost the use of her legs     And being a very,  
6     very active young girl at the age of 21, her activity  
7     dwindled to only watching television     She was introduced to  
8     a four-wheeled vehicle, and now she goes riding with her  
9     friends     She can go to the mailbox, where before she  
10    couldn't even with her wheelchair because she lives on such a  
11    gradual slope that the wheelchair was hard to control     She  
12    couldn't use her wheelchair off of the blacktop because the  
13    wheels would sink in     So now she uses her four wheeler and  
14    goes riding with her friends, and it makes her feel a lot  
15    better about herself     I talked with her mother about it, and  
16    her mother said that for a minute she thinks that she looks  
17    completely normal riding a three wheeler and doesn't realize  
18    she has the paralyzed legs

19             Thank you

20             MR   SCANLON     Thank you, Mr   Cook

21             Mr   Zeratsky?

22             MR   ZERATSKY   Yes     My name is Bur Zeratsky     I'm  
23     from Green Lake, Wisconsin     And I've been riding a three  
24     wheeler for about five years now     I have a history that  
25     dates back through snowmobiling, motorcycling, boating,

1 et cetera, all of the recreational vehicles as such, dating  
2 back to probably 12 years of age

3 The three wheeler to me does not seem to have any  
4 particular faults, other than anything aside from any of  
5 these other vehicles I have spent countless hours on them  
6 I don't know how many I have owned a total of three  
7 different machines, two at a time My wife and I both have  
8 one And we use the thing every weekend and very often after  
9 work as a way to relax I have not had a serious accident in  
10 the past five years on either of the machines

11 Currently I own a 250 SX Honda and a 125, which  
12 represent basically extremes A small bike, very lightweight,  
13 easy to handle, and the larger bike, which has the suspension  
14 and shaft drive It's a little heavier, but it's a vehicle  
15 that has a little more power as well and is more suited to  
16 work, pulling a trailer, using it in the woods for cutting  
17 firewood, et cetera I use the vehicles in the woods quite  
18 often Hunting, I use them for gathering firewood, for  
19 patrolling property boundaries and so forth And it has  
20 provided me a degree of flexibility that I did not have  
21 before I could do the same thing on a motorcycle, there's  
22 no doubt about that It would not be any less safe or any  
23 more safe I think it's a question of how I choose to  
24 operate the vehicle

25 The features that are particularly nice about the

1 three wheelers are the fact that I don't have to find a  
2 suitable location to put the kickstand down to hold the  
3 vehicle upright I can put a cargo rack on the back, carry  
4 some tools with me, carry a chain saw, whatever I really  
5 would care to do

6 I have spent a lot of time on foot, and on horseback  
7 as well, in the same kind of terrain, and I think that any  
8 time you get into varying terrain, you don't always know what  
9 is -- where a hidden rock is beneath the tall grass, where  
10 there is a hole A certain degree of caution is always  
11 advisable And that, I think, has probably been one of the  
12 great faults with thp three wheeler, the growth has been so  
13 rapid And several people point out there have been so many  
14 children using the bikes, it's almost become a baby toy as  
15 such People go shove their kids on the bike "Well, gee,  
16 it's only a motorized tricycle, let them take off and have  
17 fun "

18 The thing that I think is missing is some safety  
19 information, letting people know a little bit about how to  
20 ride the bike, about the importance of instruction, whether  
21 it be parental or professional instruction at the dealer  
22 level I think that could be very well accomplished by a  
23 separate piece of literature from Specialty Vehicle Institute,  
24 from the manufacturers I really don't think it matters  
25 where it comes from

1           The owner's manual covers a little bit of vehicle  
2   safety   It's buried in the back   And I think a lot of  
3   people, especially parents who are used to buying their new  
4   car, they don't pay any attention to the owner's manual  
5   unless they have something specifically to look for   I think  
6   a separate piece of paper or literature would go to a much  
7   better means of providing that information to the ultimate  
8   consumer

9           The parent, as has been pointed out, generally buys  
10   the machine   Oftentimes the children end up using it   I'm  
11   not so sure that a lot of parents are aware that there really  
12   is any sort of danger involved   And I think they look at it  
13   as, "Gee, Johnny was riding a tricycle when he was three  
14   years old   He didn't have any problem   Now this thing has  
15   got a motor on it   It's not that much different   It's got  
16   big, fat tires, and it doesn't look -- it looks harmless,  
17   really "   And I think that any motorized vehicle has the  
18   capability of hurting a person if it is used improperly

19           And I think that would probably be the best thing we  
20   could do for everybody involved, would be to provide  
21   literature identifying some of the problems, some of the  
22   safety aspects of the machine, and telling people to spend  
23   some time getting to know it in an area in which they are  
24   familiar with the terrain before they go off on a trail ride,  
25   before they go trying to follow the guy down the street

1     that's been riding for 10 years at breakneck speed     Get some  
2     time on the thing, play with it, learn what it does     And I  
3     think that there won't be any more problems than walking  
4     across the street

5             Thank you

6             MR   SCANLON     Thank you, Mr   Zeratsky

7             Mr   Marowsky?

8             MR   MAROWSKY   Thank you, members of the Commission  
9     I appreciate the opportunity to speak, and you are willing to  
10    listen to us     After all, we are the consumers whom you are  
11    trying to protect     And I appreciate the efforts you are  
12    putting into this     I also appreciate the willingness that  
13    you are showing, especially Commissioner Dawson, to acquaint  
14    yourself with the handling of an ATV     I think there's no  
15    substitute for throwing a foot over one and getting on one  
16    yourself and finding out what it's all about

17            I am speaking on my own behalf, as an owner and rider  
18    of an ATV     Also the father of five children, three boys and  
19    two girls, high school and college age     My profession, I'm a  
20    teacher     Riding an ATV has been a positive benefit to me     I  
21    know teaching is a job with a certain amount of stress,  
22    probably almost as much stress as being a member of the CPSC

23            MR   SCANLON     I doubt it

24            MR   MAROWSKY   No?     Maybe we should trade places  
25    I sometimes refer to my machine as my stress buster     Getting

1 out there after a hard week is certainly very relaxing, and  
2 you come back feeling an entirely different person I have  
3 been riding for about a year I haven't had any previous  
4 riding experience on dirt bikes, motorcycles or anything  
5 other than a bicycle when I was a kid, and that's more years  
6 ago than I care to mention

7 I think another positive aspect of it has been  
8 establishing rapport with students of mine, especially those  
9 at junior high level with whom I have to work and I have to  
10 teach music to And there is a challenge if you want one  
11 And sharing riding experiences, I think, has been kind of a  
12 point of departure in achieving a certain amount of success  
13 with them

14 Now, I, too, am concerned about the safety aspect I  
15 certainly don't enjoy self-mutilation any more than anyone  
16 else does And I hate to see something which is supposed to  
17 be fun and recreation turn into a guts and glory scenario

18 I do have some feelings on the matter of statistics  
19 here, some points maybe to consider in viewing these Number  
20 one, sales of ATVs have literally exploded in recent years  
21 A high percentage of the riders today are new and  
22 inexperienced Most of them have had little or no riding  
23 instructions As you know, you no doubt are aware there is a  
24 certain amount of rider skill and input that must be learned,  
25 and you develop it through practice An ATV is ridden, not

1     driven     However, this is one of the factors that does make  
2     ATV riding challenging and enjoyable

3             Two, I think the public has generally been misled to  
4     believe that the machines themselves are faultily designed  
5     and inherently unsafe     I believe that the primary cause of  
6     accidents is the rider     I feel safer riding my Suzuki 185  
7     than I do many times behind the wheel of my Chevy Malibu  
8     driving down the freeways and highways of our great state

9             The third factor that I feel relates to some accidents  
10    is the lack of suitable riding trails in areas where  
11    beginners especially can practice and develop their riding  
12    skills safely     Our state has many fine trails for bicycles  
13    and snowmobiles, but the poor ATV rider often has little  
14    place to ride, except on or along roads and other unsuitable  
15    and illegal places     Overcrowding of riding areas has been  
16    occurring as ATV sales go up and riding areas sometimes are  
17    closed and are decreasing

18            Fourth, another factor I feel that breeds trouble is  
19    the lack of proper rider attitude toward ATVs     Some think  
20    they are just cute little toys you can hop on, and away you  
21    go     Many riders don't seem to understand the need to wear  
22    the helmet, goggles, gloves, boots and protective gear

23            Others operate their vehicles under the influence of  
24    alcohol and drugs     I believe that's a minority     And still  
25    others carry passengers, in spite of warnings on the machines

1 not to do so Many parents who themselves have no knowledge  
2 of ATV riding, since the machines have only been around about  
3 15 years, buy them for their children and turn them loose  
4 without any instruction or supervision Many do not respect  
5 the ATV as a serious vehicle

6 Now, rather than ban and outlaw ATVs, I feel other  
7 measures can be taken to effectively curb the rising accident  
8 rate of the ATVs One, greater efforts need to be made by  
9 the industry and/or state to educate people on the safe and  
10 proper ways to use ATVs

11 Two, since there will always be times when the rider  
12 will find himself or herself in trouble, one of the best  
13 things that a person can do is to wear protective gear at all  
14 times when riding Now, maybe we do need some government  
15 regulation requiring this, similar to seat belt laws in  
16 certain states That's one deficiency, I think, in the  
17 present state legislation, although I am very happy to see  
18 what has been done, that that should be included for wearing  
19 helmets

20 The state registration should be done, and that would  
21 be a further factor

22 So let's not throw out the baby with the bath water

23 Thank you

24 MR SCANLON Thank you, sir

25 Mr Cook, you say that you have been a founder of a

1 state association of three wheelers That is in Minnesota?

2 MR COOK Yes, sir

3 MR SCANLON Do you provide training to riders?

4 MR COOK Right now we are working on a complete  
5 training package We are trying to make it or pattern it  
6 after the snowmobile safety program, where members from clubs  
7 become instructors And then they, in turn, instruct other  
8 instructors So that Boy Scout leaders, Cub Scout leaders,  
9 snowmobile club members, any of these can become certified  
10 instructors I am a certified snowmobile instructor in  
11 Minnesota

12 MR SCANLON How many people do you anticipate  
13 training on ATVs?

14 MR COOK We hope that we can train at least one  
15 member from each dealership in ATVs and at least one member  
16 from each club So in a particular area, in a village where  
17 there is a youth group that wants to take the classes, that  
18 they can be trained In the state of Minnesota we have a  
19 safety certificate that the kids wear on their snowmobile  
20 suits And they also have a membership card they keep in  
21 their billfold in their pocket And it's really important to  
22 the youth to have this And we have a number of kids who  
23 come and take the safety test who do not own a snowmobile  
24 And so the instructor at that time usually makes his  
25 available for them to use

1           MR SCANLON   Will the people trained in turn train  
2 others?

3           MR COOK    A good share of the people that become  
4 trained will train maybe four or five, six classes of it  
5 Then they will train another instructor that maybe wants to  
6 go to his town or to a neighboring village or in a different  
7 particular area    So we found it good    It's kind of a you  
8 tell two people and they'll tell two people and they will  
9 tell two people    And we found out that once the parents in a  
10 community are aware that there is a safety training program,  
11 that works similar to a driver education for cars    Only this  
12 is put on by individuals and not by the school

13           MR SCANLON   Is SVIA the catalyst in this?

14           MR COOK    Yes, sir

15           MR SCANLON   They are

16           MR COOK    Yes, sir

17           MR SCANLON   And have they or have you set goals  
18 for the number of people to be trained within a period of  
19 time?

20           MR COOK    At this time what we would like to find  
21 out is, right now we have instructors that are going to  
22 school now to be trained    In fact, they went, I think it was,  
23 a month and a half ago    We hope that they can come back and  
24 train some of our people    I understand now that the training  
25 has to be done at a certain place    I think it was -- in fact,

1 I don't remember I think it was Brainerd, Minnesota was  
2 the -- we haven't had any training right in the metropolitan  
3 area of St Paul/Minneapolis

4 MR SCANLON Okay Thank you, Mr Cook

5 Mr Bergman, you described crashes occurring at these  
6 various race tracks Can you describe these?

7 MR JERRY BERGMAN Okay I would say maybe --

8 MR SCANLON Can you talk into your microphone?

9 MR JERRY BERGMAN Okay Two bikes probably  
10 running into each other and careening, you know, different  
11 directions

12 MR SCANLON What was the cause of the accident?  
13 Rider misbehavior?

14 MR JERRY BERGMAN Yeah, it would be rider  
15 behavior, probably It wouldn't be anything to do with the  
16 bike

17 MR SCANLON At what speed are they racing?

18 MR JERRY BERGMAN Oh, they are racing into these  
19 corners anywhere -- like a whole shot would be about 75 miles  
20 an hour, 77 miles an hour going into the first corner And --

21 MR SCANLON Were these rollovers?

22 MR JERRY BERGMAN Pardon?

23 MR SCANLON What was the type of accident? A  
24 rollover, tipover?

25 MR JERRY BERGMAN Oh, you could get rollovers,

1       you could get the bike flipping, you could -- you know, it's  
2       an action where the bike is hit by another bike

3               MR   SCANLON     And the only serious injury sustained  
4       was a --

5               MR   JERRY BERGMAN     Was a fractured wrist

6               MR   SCANLON     Wrist?

7               MR   JERRY BERGMAN     Yes     And in the, oh, I'd say  
8       300 crashes minimum that my son has had since he has been,  
9       I'd say, racing, all he has gotten was in practice a cracked  
10      knuckle

11              MR   SCANLON     Okay

12              Mr   Zeratsky, would you agree with Mr   Bergman that  
13      ATVs are no more dangerous than a coaster wagon, I think was  
14      the term?

15              MR   ZERATSKY     Yeah, I think that's true     I would  
16      say, to take that a little further, that the ATV is no more  
17      dangerous than the person operating that ATV

18              MR   SCANLON     Do you think there is a design  
19      characteristic problem with ATVs?

20              MR   ZERATSKY     I do not feel that that's the case

21              MR   SCANLON     Does anybody on the panel think there  
22      may be a design problem?   Okay     Thank you

23              Commissioner Dawson?

24              MS   DAWSON     First, I want to just add a word of  
25      thanks to all of you for coming here today and for staying

1     this afternoon     This is the third public hearing I have been  
2     to on ATVs, and I think we are all learning a lot, speaking  
3     for myself

4             One thing, though, that keeps recurring, that I keep  
5     hearing, is that you as an user group believe that the  
6     responsibility is the user, and other groups put the  
7     responsibility more on the manufacturer     And I think I will  
8     start with Mr   Cook

9             You've got an association in your state     Where do you  
10    feel there can be some real progress made to reduce the  
11    deaths and injuries?   We are all here to do that, to the  
12    extent -- do you think that federal involvement is necessary  
13    at this point?   Do you think the state regulations are  
14    preferable?   Or do you think the user groups and the  
15    manufacturers themselves can adequately address this problem?

16            MR   COOK    I would hope that the states -- one of  
17    the things we have seen, the reason that this is such -- it  
18    sounds like such an exploding problem is the fact that all of  
19    a sudden there is a bunch of ATVs out there, and no place for  
20    them to go     Now, everybody --

21            MS   DAWSON   Are you talking about trails?   The  
22    need for trails?

23            MR   COOK    I would say 90 percent of the adults in  
24    Minnesota or Wisconsin probably know there are ATVs, but  
25    nobody really realizes where you can go and where you can't

1 go So what happens is that people buy them with the idea  
2 they think they can go almost anyplace In Minnesota we just  
3 this year came up with a licensing for ATVs, but ATVs have  
4 been around here for 15 years

5 So I think that if the state and federal government  
6 and dealers and consumer groups would all work together to as  
7 quick as we possibly can get an instruction -- get a, rather,  
8 very good training program similar to the driver's education  
9 program -- insurance companies believe that driver's  
10 education is so important they give you a reduction in your  
11 insurance rates if your kids go through these driver's  
12 training programs

13 So I think that if we were to get places to ride, if  
14 we would be able to have the youth trained, once you train  
15 the youth, they will grow up being safer drivers It isn't  
16 going to stop all accidents, but it's going to make them more  
17 aware of what can happen And with that, and patrolling and  
18 working with the dealers, I think that it will change the  
19 whole outlook on this thing

20 MS DAWSON Can you give us a little more  
21 information about the regulations in effect in Minnesota?  
22 You mentioned licensing How is that -- how does that work?

23 MR COOK We buy a DNR registration It is \$12,  
24 and it lasts for three years, and it lets you drive the ATV  
25 on designated DNR property It doesn't let you go on public

1 property It doesn't let you go on other people's private  
2 property But what happens is, when you really start to ask  
3 people where they can go, most people don't know They buy  
4 them to go to the lake, they buy them to ride around in their  
5 property Well, their boys and girls ride around their  
6 property for about three or four days, and then they want to  
7 go over to see Billy, the next-door neighbor kid, and that  
8 And that's where a lot of times they get in trouble, riding  
9 into barbed wire fences, driving into things It's areas  
10 where they are not supposed to be and they are because of a  
11 lack of a place to be and a lack of proper instructions

12 We are having instructions now, but it hasn't really  
13 started yet, so that the youth out there are still  
14 uneducated And I don't think that anyone here would give  
15 their 16-year-old son or daughter the keys to their car  
16 without making sure that they had good training

17 MS DAWSON You mentioned the licensing  
18 requirement Is that a licensing of the rider? This is the  
19 licensing of the vehicle?

20 MR COOK Licensing the machine It's a  
21 registration with the DNR

22 MS DAWSON So there is no competency test, or  
23 anything like that

24 MR COOK No, ma'am

25 MS DAWSON So, basically, the only training that

1 exists would be the training that you provide

2 MR COOK That the parents provide for the  
3 children or that they learn from other children, which is not  
4 the way to learn

5 MS DAWSON Do the dealers in your area provide  
6 guidance to the buyer as to the size of the vehicle? Or do  
7 they give them any kind of instruction, other than just what  
8 comes in the owner's manual?

9 MR COOK Well, not being able to speak for other  
10 dealers, I don't really know how much emphasis is put on the  
11 right machine One of the problems that you do see is that  
12 the father brings his son in and wants a machine that his  
13 10-year-old son can drive, but the real motive is that he can  
14 drive it, too So now his son looks at a 110, and the dad  
15 says, "No, no, no, no We want to get a 185 That's more  
16 our size " Well, the kid isn't going to disagree with him  
17 So now they buy a 185, which probably is too big a machine  
18 for that child

19 MS DAWSON Would you recommend that the dealer  
20 actually intervene at that point?

21 MR COOK I would think a good dealer would want  
22 to keep his customers around, so I'm sure he wouldn't

23 I think that by training the kids -- what happens with  
24 the three wheelers, like motorcycles, like any other  
25 motorized vehicle or anything that's in style, the youth know

1 more about it than the parents, the dealers or anybody else  
2 there They know what does what, what the tubes are made of,  
3 what the engine is made of, how fast it will go And it  
4 becomes a social thing with kids The bigger powered the  
5 machine, the higher they regard it And that's not only in  
6 just three wheelers It's in motorcycles, in cars, in  
7 anything So I think that it's the ultimate decision for the  
8 parent and for the dealer to help them with, plus a mandatory  
9 safety training for the youth Mandatory

10 MS DAWSON Mr Bergman, could you respond to that  
11 same sort of question, as to what role do you see for the  
12 various levels of government and for the manufacturers, the  
13 users and the local jurisdictions?

14 MR JERRY BERGMAN I feel that a lot of pressure  
15 should be put on the manufacturers to put out literature on  
16 how to ride the vehicle I think that the dealers should be  
17 involved with at least a two-hour training program, on site  
18 or at some locale, with a professional or an adequately  
19 trained rider to give them at least two hours of training

20 MS DAWSON Do you think that the cost of this  
21 training should be borne by the purchaser?

22 MR JERRY BERGMAN I have no idea who should  
23 absorb the cost, but I feel that it should be absorbed  
24 probably by the manufacturer They are producing the product  
25 They are the one that makes the profit off of it

1 MS DAWSON Let me ask you, Mr Marowsky, did you  
2 take a training course when you bought your vehicle?

3 MR MAROWSKY No, I did not

4 MS DAWSON Have you since?

5 MR MAROWSKY No

6 MS DAWSON So you are self-taught

7 MR MAROWSKY Yes What I went by was the owner's  
8 manual, which, of course, you know, had a few tips in it, a  
9 few pages devoted to that And magazines that are put out,  
10 such as Dirt Wheels, if you're familiar with that, do contain  
11 riding tips And simply going out and practicing and trying  
12 to develop your skills in that way

13 MS DAWSON And then you were able to impart that  
14 skill training to the children yourself? Or did they  
15 participate in some kind of group --

16 MR MAROWSKY Are you referring to my own?

17 MS DAWSON Yes

18 MR MAROWSKY Well, I just had the one son who  
19 rode on it And, well, I guess he learned probably about the  
20 same way that I did

21 MS DAWSON Would you --

22 MR MAROWSKY We would share information

23 MS DAWSON Would you be willing -- are you  
24 involved in any kind of organized club?

25 MR MAROWSKY Well, I have just recently joined

1 the Wisconsin ATV Association, if that's what you mean

2 MS DAWSON I see Could you respond to that  
3 question of where the responsibility lies for the solution of  
4 the death and injury rate?

5 MR MAROWSKY I think it has to be a cooperative  
6 effort among the various agencies here Certainly parents  
7 have a great responsibility I think in many cases parents  
8 may be guilty of child neglect when they simply put their  
9 children on these things, and yet it is probably one born of  
10 ignorance Because how many parents ever had the experience  
11 of riding one of these when they were children? Because they  
12 simply were not around at that time They need to  
13 familiarize themselves with the potential hazards that could  
14 exist and the right and wrong way to do things

15 We also need, well, the dealers, too, I think, in  
16 informing Somebody has to get this information out to them  
17 And I think the manufacturers have a responsibility there,  
18 too There is a lot of competition in the industry and  
19 trying to grab the lion's share of the sales And as I have  
20 observed it over the years, the machines are getting bigger  
21 and more powerful Last year they came out with a 350, now  
22 you hear of a 500 And who knows where this is all going to  
23 end

24 And then also our governmental agencies there, I think,  
25 need to share a hand in this, too, such as our state now,

1       which has passed some regulations   And I think local units  
2       of government, the county, can do much, too, in enforcing the  
3       certain basic safety procedures and regulations

4               I am a firm believer in wearing a helmet, and I insist  
5       those that I ride with do the same   I don't find too many  
6       people my own age to ride with so I've been riding with the  
7       younger ones, but I make that point to stress with them   And  
8       if it tends to be that the officer driving down the road  
9       hauls somebody over who is riding without a helmet and cites  
10      them for it, I certainly wouldn't be against that   I think a  
11      very high percentage of the injuries or fatalities, injuries,  
12      occur to the head

13             MS   DAWSON   And while riding on roads

14             MR   MAROWSKY   Well, yes, and illegal places, too  
15      And that's where I think our state and county units of  
16      government can do something there to provide more safe riding  
17      places, especially for the beginners, where they can practice  
18      and develop these skills to become safer and better riders

19             MS   DAWSON   Did you or most of the other ATV users  
20      that you know support the state legislation that was recently  
21      enacted?

22             MR   MAROWSKY   Yes   They do

23             MS   DAWSON   They do support it?

24             MR   MAROWSKY   Yes

25             MS   DAWSON   Mr   Zeratsky, one of the earlier

1 panels talked about the design of the seat on the ATV How  
2 would you respond to the criticism that that seat is designed  
3 to carry two people?

4 MR ZERATSKY I guess that it can be viewed that  
5 way It certainly has room for two people on it I think if  
6 you start to think about where the second person sits, what  
7 they hold on to, where their feet go especially, it really is  
8 not suitable for use by two people

9 And I have found many situations when I used the  
10 entire length of the seat I don't own a Yamaha like that,  
11 but the Honda also has a fairly long seat Going uphill,  
12 ascending a hill, it's often necessary to go towards the  
13 front of the seat, and descending a hill it's necessary to  
14 sit towards the rear of the seat So I think it's a  
15 necessary feature of the machine and that the manufacturers  
16 really, by not providing an adequate place to place the feet  
17 of a passenger or really for a passenger to hold on, have  
18 really probably done as much as they can do to prevent that  
19 from happening

20 MS DAWSON At some of the earlier hearings that  
21 we have had, a number of user groups have mentioned the fact  
22 that many, many riders or owners of ATVs were modifying the  
23 vehicles Are you aware of that, or have you seen any of  
24 that happening?

25 MR ZERATSKY I am aware that it's happening I

1 have only modified my vehicles to the extent that I have  
2 added a cargo rack or a trailer hitch or something like that  
3 to make it more practical for me But if you read the  
4 publications which seem to be mostly racing oriented, there  
5 is page after page after page of modification devices,  
6 everything from engine upgrade kits to different tires,  
7 different suspensions, complete engine swaps So, yeah, it's  
8 out there And I think that happens in any form of motor  
9 sports It just seems to be something about our nature that  
10 once you get the machine and you get it figured out, that a  
11 lot of people seem to want to make it go faster or think they  
12 can make it better I don't know that that's the case, but  
13 it's happening out there

14 MS DAWSON You also mentioned in your statement  
15 that you felt that what was really missing in this whole  
16 equation was a big information program How do you see that  
17 being structured?

18 MR ZERATSKY Well, I don't -- in terms of big, I  
19 don't know what exactly that implies But I feel that when I  
20 purchased all of the three machines I have that there was  
21 some information in the owner's manuals, and it was good  
22 information But it's just -- the owner's manual is one of  
23 those things that probably doesn't get the attention that it  
24 should And I think some brochures from the SVIA -- a  
25 separate piece of literature that you can put in your hand

1 with a catchy title or a flashy cover or whatever is  
2 something that at least deserves a second look, probably more  
3 so than the owner's manual I think that in itself would be  
4 a tremendous benefit, if that was to basically be made  
5 mandatory, whether it was published by the manufacturers or  
6 something that the SVIA provided I didn't get any real  
7 safety information, other than what was included in the  
8 owner's manual, with any of my machine purchases

9 MS DAWSON Thank you very much

10 Mr Scanlon?

11 MR SCANLON Thank you, Commissioner Dawson

12 Dr DeFiore?

13 MR DeFIORE Thank you

14 Mr Marowsky, let me begin by saying I spent a few  
15 years myself in education I may be more sympathetic to your  
16 view of the stressfulness of teaching junior high than our  
17 chairman

18 MR MAROWSKY Thank you

19 MR DeFIORE You mentioned you ride a Suzuki 185  
20 If I'm correct, that has no mechanical suspension?

21 MR MAROWSKY That is correct, yes It's the only  
22 thing I regret about it

23 MR DeFIORE Have you ridden other machines with  
24 mechanical suspension?

25 MR MAROWSKY Just very briefly I have never

1       owned one     Just other people's

2               MR DeFIORE     Other than, from your comments, the  
3       comfort difference, do you think it has any safety or  
4       handling characteristics that would come into play?

5               MR MAROWSKY    I haven't ridden enough of them that  
6       I think I could really give a definite, conclusive answer on  
7       that

8               MR DeFIORE     Michael, since you have been involved  
9       in racing for several years here, you are obviously an expert  
10      rider, do you have some thoughts about some of the  
11      suggestions that were made today? I'm not going to ask you  
12      any engineering questions, but those that pertain to the  
13      rider    What are your thoughts about the training in terms of  
14      the safety aspect of it?

15              MR MICHAEL BERGMAN    I think it would help out a  
16      lot for the younger riders to be taught when they get a  
17      machine

18              MR DeFIORE     How about in terms of safety  
19      equipment? Are there some things for riders that you would  
20      see to be essential?

21              MR MICHAEL BERGMAN    Helmet's a must    But the  
22      boots are very important    You should go with the full  
23      program    Just everything that you feel, you know, is good  
24      for you

25              MR DeFIORE     How about the size of the seat? That

1 question has come up Would you be happier with a smaller-  
2 sized seat than the one that is there, or do you feel this  
3 one is --

4 MR MICHAEL BERGMAN I think that seat is perfect  
5 for when you have to move around to maneuver the bike It's  
6 the right size And it says all over the manual and on the  
7 rear of the machine it's not for two riders It is made for  
8 one rider to maneuver

9 MR DeFIORE How about something like some kind of  
10 rider restraints, like seat belts or something of that nature?  
11 Do you think that would be helpful?

12 MR MICHAEL BERGMAN No, I don't think it would be

13 MR DeFIORE Thank you

14 Mr Cook, you have mentioned that you have had a lot  
15 of experience with both snowmobiles and with ATVs If you  
16 had to -- I know this would vary Well, let's say Minnesota  
17 probably gets a little more snow than Washington, D C does  
18 If you had to make a calculation about the level of use,  
19 comparing an ATV to a snowmobile, how many of your days per  
20 year or hours per year would you think the relation would be  
21 between the use of the ATV and the use of a snowmobile?

22 MR COOK Well, in Minnesota, like northern  
23 Wisconsin, we like to brag that we get a lot more winter than  
24 we really do I think that you really have about three  
25 months to drive a snowmobile, when you can drive an ATV 12

1 months of the year I don't know a time that you can't drive  
2 an ATV So I think you get a lot more use out of an ATV

3 MR DeFIORE So would you say -- suppose someone  
4 owned both an ATV and a snowmobile What would be the  
5 percentage of time or the difference they would be using one  
6 over the other? Would it be 2 to 1? 5 to 1? 10 to 1?

7 MR COOK 10 to 1

8 MR DeFIORE About 10 to 1 So an ATV would be  
9 used roughly 10 times more frequently than a snowmobile, even  
10 in Minnesota

11 MR COOK Yes

12 MR DeFIORE Where you get more snow, presumably,  
13 than other parts of the country How do you arrive at 10 to  
14 1? What makes you pick that number?

15 MR COOK Well, I think that you are really  
16 limited to the amount of time you can use the snowmobile  
17 You have to make sure that the ground is suitably covered  
18 with snow, that it's cold enough to where you are not  
19 breaking through the snow And in most cases, you have to  
20 make sure that there has already been enough ice on the lakes  
21 In the area that we live in, we almost have to drive on lakes  
22 to get anyplace So with the ATV, you can drive it any day  
23 I would think that for two months out of the year you can  
24 really use your snowmobile For 12 months you can use the  
25 ATV

1 MR DeFIORE Okay Thank you

2 Mr Zeratsky, you mentioned you also have driven  
3 snowmobiles, is that right?

4 MR ZERATSKY Yes, I have

5 MR DeFIORE What is your opinion about the item  
6 that Mr Cook just responded to?

7 MR ZERATSKY I would have to come pretty close to  
8 agreeing with the 10 to 1 I don't have any scientific basis,  
9 but the same kind of thing holds true It's a question of  
10 suitability of conditions, environmental conditions, for the  
11 use of the machine And last winter there was two weeks in  
12 which I couldn't use my ATV because the snow was too deep  
13 around my house, and I couldn't get through the snow just to  
14 get to the lake Or I happen to own some -- my family has  
15 some private land which is very nice to ride on That's not  
16 a problem that I face But I just couldn't get there

17 Aside from that, I had 11 months and two weeks,  
18 basically, when I could use it And having ridden both  
19 machines, I enjoy the riding of the all-terrain vehicle more  
20 than I enjoy the snowmobile So I think if the conditions  
21 were suitable for either, that I would still favor that  
22 machine

23 MR DeFIORE You mentioned you own two sort of  
24 really different vehicles, the SX and the 125 Do you have  
25 any opinion about the relative handling characteristics

1       between those two?

2                   MR ZERATSKY   The 125, I think, is probably easier  
3       to handle   It's much lighter   A full-sized person's body  
4       weight certainly makes it much easier to muscle the machine,  
5       to maneuver the machine

6                   The 250, for me, I have spent quite a bit of time and  
7       got a -- you know, I weigh 180 pounds, which is more than  
8       adequate to maneuver that machine   The extra power is nice  
9       when I'm using it to pull a trailer with some logs on it or  
10      something like that

11                   I wouldn't and I haven't put beginners on it   I do  
12      occasionally take friends riding that haven't been before and  
13      take some time going over the features of the machine and  
14      make sure we stay on gentle terrain   And I will not put them  
15      on the 250 right off   I think that they should spend some  
16      time on the smaller machine that is easier to handle for them  
17      And I guess that's just because I don't -- that's not to say  
18      that they couldn't handle the larger machine   Certainly some  
19      of them, especially the ones that have had some motor sports  
20      background, are capable of that   But I just feel safer, more  
21      comfortable, at least, to let them see what this sport is all  
22      about on a small machine and let them progress from there

23                   MR DeFIORE   Thank you

24                   MR SCANLON   Thank you   Thank you, gentlemen, for  
25      coming to Milwaukee and sharing your experiences with us   It

1 is appreciated Thanks again

2 Okay We will proceed with the seventh panel,  
3 composed of dealers and ATV associations Dan Bishop, Bishop  
4 Cycle Center, Lapur, Michigan Randy Harden, Sheboygan  
5 Yamaha, Sheboygan, Wisconsin James Baxter, executive  
6 director, Wisconsin ATV Association, Dane, Wisconsin Don  
7 Schommer, trailmaster for No Runner LTD Snowmobile Club,  
8 Belgium, Wisconsin Bill Wildt, president, Motorsport  
9 Advancement Crusade in Chicago And I believe that is it  
10 Is there anybody else signed up for this panel?

11 Okay We will begin with Dan Bishop Mr Bishop?

12 MR BISHOP Thank you My name is Dan Bishop I  
13 am the owner of a motorcycle and ATV dealership

14 MR SCANLON Can you talk a little louder, sir,  
15 into the mike?

16 MR BISHOP My name is Dan Bishop I am the owner  
17 of a motorcycle and ATV dealership in Michigan I have been  
18 personally riding ATVs for 13 years, both recreationally and  
19 racing

20 Many people feel ATVs are unsafe I feel ATVs are as  
21 safe as any other form of recreational vehicle when ridden  
22 properly and safely So many times accidents are caused by  
23 lack of rider knowledge, carelessness or recklessness Many  
24 times there are two people riding the machine Almost all  
25 the units are labeled with No Passengers, Rider Only, as well

1 as being stated in the owner's manual

2 The children riding are usually the ones that are  
3 doing riding double This is where parent supervision comes  
4 in Many times parents let their kids ride unsupervised,  
5 which I feel is the big reason for so many accidents  
6 Supervision does not mean two on the machine

7 Most machines have a throttle limiter With the use  
8 of this, a parent can allow a child to progress with his or  
9 her competence The vehicle can be slowed down to walk pace  
10 if desired, or allow them to progress as they learn This  
11 allows the rider to learn how to turn, stop and maneuver the  
12 machine

13 My advice would be to help organize rider education  
14 safety awareness, as well as probably uniformity of controls  
15 on ATVs

16 Thank you for letting me speak

17 MR SCANLON Thank you, Mr Bishop  
18 Mr Harden?

19 MR HARDEN Thank you I would like to start by  
20 giving a small background on myself so it will lend some  
21 bearing on this a little later Married, have two kids, am  
22 employed by a motorcycle/snowmobile/ATV dealership I have a  
23 racing background in motorcycles, both professionally and  
24 amateur, and now on three wheelers

25 It seems there are three focal points that seem to be

1 coming out The ATVer, in general, seems 18 or 20 years of  
2 age and older, the smaller children, and the manufacturers  
3 and/or dealerships The first part of an ATVer is older  
4 people as myself, you know, over 18 years of age The  
5 earlier models that I have been accustomed to were -- there  
6 were some problems They did turn harder than the ones  
7 nowadays They didn't have suspension Nowadays they do  
8 They have come a long ways But just as the automobile was  
9 not as safe as it is today, the same here You know, it had  
10 to be altered

11 I think the industry has had to answer some questions,  
12 and they have made some progress on the safety of these  
13 vehicles I feel that the majority of the problem is rider  
14 error, not in the machine itself, as it has come a long ways  
15 and hopefully will continue to Suspension is definitely a  
16 safety factor

17 As a whole, I think the number one problem has been  
18 addressed, and that is rider training, rider awareness of  
19 what is going on Because the sport has grown

20 The second point of view is being a parent of an ATVer  
21 I did not mention the age of my children before One is two,  
22 and one is five We are talking about 11- and 12-year-olds  
23 and people having a problem thinking they can ride them I  
24 have a four-year-old who is five now, who started when he was  
25 four

1           I don't know if the Commission is familiar -- I  
2 haven't seen any three wheelers, ATVs or four wheelers  
3 addressed to the small children as purchasing for them, as  
4 Mr Bishop said They make small ATVs with throttle limitors  
5 that regulate how fast they go The parent -- myself, and my  
6 own son -- and I love my son I'm not going to let him get  
7 hurt on something, although I feel that I spent too much time  
8 with him on all-terrain vehicles and not on bicycles He's  
9 gotten more hurt on bicycles than he has on all-terrain  
10 vehicles, which he's never been hurt on

11           But getting back to the point, it lets you regulate  
12 how fast it goes It has what is called a tether switch,  
13 which you can follow behind when they are learning, to shut  
14 the vehicle off if you feel they get in trouble And you let  
15 them learn at their own level, but you do have to instruct  
16 them, just as you do with anything else

17           So I think, again, training, and the small children  
18 should never be by themselves The parents have got to be  
19 the determining factor in supervision and not letting them  
20 ride by themself

21           The third aspect, I am a salesman for all-terrain  
22 vehicles There are, like I said, things that had to be  
23 changed that have been changed And I'm sure more things are  
24 going to be changed, and it's probably a good thing that  
25 these kinds of hearings do come up because the manufacturers

1 listen Recently we've got a film out that one of the  
2 manufacturers sent all their dealers in the state of  
3 Wisconsin -- I don't know about the other states -- about a  
4 15-minute film to show potential buyers the safety hazards of  
5 a three wheeler and what to do, how to start out safely and  
6 instruct them And I think the manufacturer has really taken  
7 heed to the problem and is trying to address the problem  
8 And I think the SVIA training program is the best thing that  
9 could happen at this time, and hopefully will continue to  
10 happen

11 Really, that's about all I have to say

12 MR SCANLON Thank you, Mr Harden

13 Mr Schommer?

14 MR SCHOMMER Yes, sir My name is Don Schommer  
15 I've been past president of the Snow Runner Snowmobile Club  
16 twice At the present time, I am trail coordinator, what we  
17 call trailmaster, of the Snow Runner Snowmobile Club We  
18 have trails in southern Sheboygan County and northern Ozaukee  
19 County I take care of approximately 84 miles of snowmobile  
20 trails About 60 miles of that trail is funded through the  
21 state, and the rest is private club trail

22 But what I would like to point out is, I got involved  
23 in snowmobiling in 1964 And I got involved in the ATVs back  
24 in 1969, when we formed our own club We used that ATC 90 --  
25 that's way back -- for putting in our trails and for taking

1 out our trails That's putting up the signs and stuff like  
2 that before the snow gets here Well, I've been involved in  
3 this program, and I have watched ATVs progress through the  
4 years And it's like everybody else said here It's not the  
5 machine, it's the rider

6 And I have been after the DNR for years from Wisconsin  
7 here to get a program going for these people to get this  
8 machine a safety course, just like we have for the  
9 snowmobilers I've got a lot of clubs that are against me  
10 for sticking up for the ATVs, but I use this machine, and  
11 it's a good machine And I have used all kinds Yamaha,  
12 Honda, and now we have Polaris coming out with it We had a  
13 Kawasaki last year We've got some excellent dealers in my  
14 area They let me use these machines We have owned our own

15 But I have been on them for years, and I go to these  
16 safety meetings, I go to association meetings, and I preach  
17 and I preach And the DNR has done nothing with this thing,  
18 just washed their hands We have got a problem out there  
19 because they have no place to ride legally The DNR says  
20 they cannot ride on our snowmobile trails on a funded trail

21 MR SCANLON DNR stands for Department of Natural  
22 Resources?

23 MR SCHOMMER Natural Resources And they have  
24 been bickering for years, and I don't know when it's going to  
25 end But we could solve this whole problem if we just had a

1 safety program set up, just like snowmobiles Register them  
2 just like a sled And I myself, I let them ride our  
3 snowmobile trails, our club trails I cannot legally tell  
4 them to ride the funded trails because you can't But we  
5 have let them ride our club trails, and we have had problems  
6 at first But I live out in the area, and my little town is  
7 800 people And out of that little town, I bet you we've got  
8 approximately 20, 25 ATVs in the area And it got to the  
9 point where the farmers -- you know, in the spring of the  
10 year and the summer, you can't have these machines running  
11 all over their fields

12 So I went to the local landowners around there the  
13 last couple years, and I have established some trails around  
14 town Went and talked to the parents And I know most of  
15 the people around there We established some trails for the  
16 kids to ride on And I talk to them I have a meeting once  
17 a year Just before the fall of the year I explain to them  
18 what I want, what has to be done And that's what it's all  
19 about You have to talk to these kids And it's not only  
20 kids anymore today, it's adults And I said if we could get  
21 a program together with these ATVs, with all the money that  
22 we collect in registration on snowmobiles, we could set up a  
23 trail program and give them someplace to ride Now I've got  
24 a foot in the door in Ozaukee County, and that's the way it  
25 works You have to know your landowner, you have to know the

1 people who are riding, you have to let them know where to go  
2 and when to go

3 Our trail system is set up from November 15 till April  
4 1 That's when we have land easements with the farmers to  
5 run our trail system And I tell these kids on these three  
6 wheelers, and the adults, you cannot ride on these trails  
7 until the ground is froze, until there is sufficient snowfall

8 We do groom our trails out there When the snow gets  
9 about a foot deep, you can't ride an ATV anyway right It  
10 just won't go But on our groomed trails in the wintertime,  
11 they have no problem

12 But my main concern is that I just can't understand  
13 why we haven't got the DNR together with the ATVs to set up a  
14 program, a safety program to teach these people how to ride  
15 this thing I have had no problems with the ones I have had  
16 I've got two daughters in my family They ride snowmobiles  
17 One is 14, one is 18 now I have never had one bit of  
18 problem with accidents or anything But you've got to tell  
19 them how to ride this machine And that's what it's all  
20 about, sir You have to have a safety program to train these  
21 kids how to ride this thing

22 And I don't know what the age limit should be, but  
23 like this gentleman said, if he's got a five-year-old riding  
24 it and he trained him how to run it, fine But I do know  
25 that my experience with snowmobiles -- and we have had a lot

1 of problems many, many years ago, it took us about 10 years  
2 to get it straightened out -- that the age limits between 12  
3 and 16 are crucial They've got to know what they're doing

4 I thank you for your time, and I hope to God we get a  
5 program going to get these machines riding legally

6 MR SCANLON Thank you, Mr Schommer

7 Mr Wildt?

8 MR WILDT Mr Chairman

9 MR SCANLON Welcome

10 MR WILDT Thank you

11 Ladies and gentlemen, my name is Bill Wildt I'm  
12 president of an organization called the Motorsport  
13 Advancement Crusade This organization was founded to  
14 preserve and enhance motor sports through public education  
15 As such, we are vitally concerned about the possible loss of  
16 an entire type of vehicle from motor sport

17 The hypothetical proposal that the Government has  
18 presented publicly through its agent, the CPSC, to ban and  
19 recall the popular three-wheel devices commonly known as ATVs  
20 is an ominous indication of just how much work our  
21 organization has to do

22 Embodied in the promulgation of such a proposal is a  
23 lack of understanding of the activity of motor sport and the  
24 motor sport community This sort of proposal would have  
25 never occurred to anyone or any group if they had a clear and

1 intimate understanding of our community, what we're about,  
2 and our contribution to society

3       Herein lies the basis of our problem, what we call the  
4 motor sport dilemma For example, the lack of public  
5 consciousness, understanding and appreciation of our  
6 activities It is difficult, indeed, to explain in motor  
7 sport language to a non-motor sport audience Someone  
8 attempting to explain a proposition, no matter how reasonable  
9 or simple, will be hard-pressed to make himself understood if  
10 he does it in German to an English-speaking assemblage

11       So, here I stand before this committee today, to ask  
12 you to understand the consequences of the actions that you  
13 might take to eliminate ATVs from the landscape of American  
14 life

15       To you, ATVs are a product To us, they are part of a  
16 sort of vehicle evolutionary chain A vehicular concept, if  
17 you will, that offers both advantages and disadvantages, as  
18 all vehicles do, as compared to other concepts in the vehicle  
19 marketplace

20       I suppose it would be easy for the uninformed that  
21 view the motor sport community from the outside to presume  
22 that ATVs or dirt bikes or snowmobiles or six-wheel ATVs,  
23 et cetera, exist solely for the purpose of recreation And,  
24 of course, they do serve in that capacity But they're a  
25 whole lot more

1           Explaining the "whole lot more" part brings me, once  
2 again, to pondering how I might explain what that means to  
3 those that are not part of the motor sport community   What  
4 language can I use to relate to non-motor sport people the ,  
5 value to the technically-minded person of experiencing a wide  
6 range of vehicle concepts in a recreational way?

7           Perhaps if I used some comparisons that you are  
8 probably more familiar with   As an example, I ask you to  
9 think about little league baseball or Pop Warner football  
10 Clearly those are recreational activities, but few would  
11 argue that they don't also provide those youngsters with a  
12 notion of the benefits of teamwork, the need for good  
13 sportsmanship, an opportunity for self-esteem enhancement,  
14 and a motivation for physical fitness

15           For those Americans that participate in these  
16 activities, these ideas are well understood   In fact, the  
17 image of a father taking his son to a major league baseball  
18 game to share the enjoyment of athletics and find a common  
19 language for communication has become something of an  
20 American symbol   Few would argue that the only purpose of  
21 little league sport is recreation

22           What we in the motor sport community ask you to  
23 understand is that we, too, have activities that families  
24 share for more than just recreation   To us, a father and son  
25 going off riding on their ATVs is as American as a father

1 taking his son out in the backyard to throw the ball around a  
2 little It's not just about riding ATVs, as throwing the  
3 ball around is not just about throwing the ball around It's  
4 about communicating with a common language that transcends  
5 age

6 To those of us that are technically inclined, that  
7 enjoy machinery and man's mastery of it, watching our  
8 children learn to successfully take on challenges with their  
9 ATVs, challenges that are increasingly more difficult, is no  
10 more different -- no different than a non-technically-minded  
11 family watching their children become proficient at sliding  
12 into base or hitting a fast ball Watching our youngsters  
13 ride casually and noticing that among them are those that  
14 display a special gift and then involving those that have  
15 this gift in a more organized part of the sport is no  
16 different in the motor sport community than the non-motor  
17 sport public's little league baseball and Pop Warner football

18 One cannot leave this part of the discussion without  
19 addressing the issue of possible injury Sadly, injury does  
20 occur in every activity in the human experience Every  
21 parent that has ever signed his kid up in little league or  
22 Pop Warner has done so with some anxiety Being hit by a  
23 baseball or injuring one's knee while being blocked for the  
24 sole purpose of recreation is tough to justify There is no  
25 question that calisthenics provide the same healthful

1 recreation without the high risk of injury But as I just  
2 got through saying, these activities are not just about  
3 recreation They are about growth in a variety of ways

4 Beyond trying to explain the role of the ATV in the  
5 family of those of us in the motor sport community, it is  
6 important that you try to relate to the need for these  
7 vehicles at an adult level

8 The motor sport community is primarily responsible for  
9 new ideas and solutions to our society's need for vehicular  
10 transportation ' Now, I know that that will be something of a  
11 foreign concept for you to grasp, and the fact that the  
12 thought is foreign to you is a major reason the Motorsport  
13 Advancement Crusade was formed For example, to educate or  
14 to explain who the motor sport community is, what we do, why  
15 we do it, and why it's important

16 A surprising number of people in this country think  
17 that vehicle concept creativity takes place in the auto  
18 industry Apparently, it hasn't occurred to anyone that the  
19 auto industry would be the last place conceptual change is  
20 likely to come from Like most industry, the auto companies  
21 take the creations of the technically-minded innovators in  
22 our society and develop businesses around them The larger  
23 the business becomes, the more it has at stake in maintaining  
24 the status quo

25 No, vehicle concept creativity comes from the motor

1 sport community Snowmobiles, aircraft, indeed the  
2 automobile itself, were all created by gifted individuals  
3 using all of the knowledge gathered during their life  
4 experiences, seeking new ways to create mechanical devices to  
5 make man the master of his territory These devices did not  
6 come from established companies

7 It should be obvious to you how important it is to all  
8 of us in the motor sport community to experience freely all  
9 known vehicle concepts if one of us is ever to create the  
10 100-mile-per-gallon vehicle that doesn't ruin the environment

11 No one can predict what personal transportation will  
12 , look like 20 years from now We do know the first automobile  
13 invented by Karl Benz in 1885 had three wheels, and it's  
14 probably a good thing that no one immediately banned  
15 four-wheel vehicles

16 The vehicle of the future could very well be a three  
17 wheeler, based on some youngster's experience with the  
18 advantages of an ATV when he was young The same could be  
19 said of six-wheelers or two-wheelers, for that matter The  
20 fact is, we just don't know What we do know is that  
21 political manipulation in this area -- for example, the  
22 banning of a particular concept -- will very likely have long-  
23 term evolutionary effects One can't artificially tamper  
24 with technical inquiry without affecting the future, no more  
25 than one can ban specific types of books without affecting

1 the future

2 We in the motor sport community use our experiences  
3 with all types of vehicles as a base for our new ideas None  
4 of us can predict the future, but if it does turn out that  
5 the advantages of lightness and simplicity of three-wheeled  
6 vehicles brings our country the fuel efficiency and low cost  
7 that we need, I want the vehicles available to us to be  
8 American That is, developed by Americans, built by  
9 Americans, and sold by Americans

10 Frankly, I think a great deal is riding on this battle  
11 that has pitted the Government against the motor sport  
12 community, with the survival of a vehicle concept at stake

13 It seems to me that the ATV is a victim of its own  
14 popularity The motor sport community has had three-wheeled  
15 devices for decades, and while their numbers were few, they  
16 had their share of devotees Suddenly, the non-motor sport  
17 public discovered them, and their popularity soared Now we  
18 have an entirely different breed of folks riding them  
19 Instead of people that cut their teeth on Whizzer motorbikes  
20 and Cushman scooters, we have people riding them whose  
21 closest thing to riding any kind of sport recreational  
22 vehicle is riding lessons at their local stable

23 We welcome these people with open arms We want to  
24 show them the joy of motor sport Unfortunately, the motor  
25 sport community is denied access to television, and most

1 Americans get most of their information from television We  
2 would very much like to tell the new generation entering  
3 motor sports the do's and don'ts of participating It would  
4 seem to us that a more legitimate function of government than  
5 banning a vehicle concept would be insuring that all elements  
6 of society have access to the public airwaves, thus insuring  
7 that the kind of information necessary to properly and safely  
8 enjoy motor sport is widely disseminated In a word,  
9 education is the answer

10 Finally, as a private citizen, I challenge the idea of  
11 the Government entering the sport vehicle marketplace and  
12 outlawing one of the competitors in this field because people  
13 might hurt themselves This is not, in my mind, a legitimate  
14 function of government, and if successful, one can only  
15 wonder what's next Motorcycles, to be sure Ultralight  
16 aircraft, probably Powerboats, yeah And, oh, yes, of  
17 course, handguns This notion of government control of types  
18 of products in the marketplace ought to be repugnant to  
19 Americans that value their freedoms so highly

20 As a minority, the motor sport community has much in  
21 common with other minorities that the majority has inflicted  
22 its will upon To say to us that ATVs will no longer be  
23 legal is like telling the general public that baseball is out,  
24 too many people getting hurt Don't do this to us because  
25 you think you can get away with it It's the wrong thing to

1 do in a free society

2 I must challenge even the possibility of government  
3 publicly studying an issue of this nature First, I don't  
4 believe this is a legitimate function of government And  
5 second, to do so does serious economic damage without due  
6 process to, for example, "ma and pa" dealers whose economic --  
7 ma and pa dealers whose ability to stay in business might  
8 depend on selling seven ATVs instead of five Few people  
9 will spend 2 or \$3,000 on something they get the idea the '  
10 government is going to ban

11 Another effect of this kind of activity on the part of  
12 the government is to provoke an unfortunately litigious  
13 society to file lawsuits in the hope of striking it rich  
14 After all, it looks like a sure winner if the Government  
15 itself says these things are unsafe and should be banned

16 As a private citizen, I would ask you to consider what  
17 you have done and end this McCarthy-like witch hunt As the  
18 president of the Motorsport Advancement Crusade, I ask you to  
19 think about the serious damage you might do by restricting  
20 vehicle concept experience and eliminating a family-oriented  
21 activity important to the motor sport community

22 Thank you

23 MR SCANLON Mr Wildt, let me just make one  
24 correction on your statement

25 MR WILDT I said it wrong, or I wrote it wrong?

1           MR SCANLON    You said it and you wrote it    The  
2   Consumer Product Safety Commission is a five-member regional  
3   body    Presently we have one vacancy    So there are four of  
4   us on the Commission, one coming down very soon    Only one of  
5   five commissioners has ever used the term "ban" or "recall "  
6   So you must keep that in mind

7           MR WILDT    If I may --

8           MR SCANLON    So you're not talking about this  
9   generic government    You're talking about one individual

10          MR WILDT    If I may, Commissioner, I don't want to  
11   retreat from that position    The fact of the matter is, the  
12   public views you folks, even one of you, as the Government  
13   I promise you that's how it is perceived    And because that's  
14   the way it is perceived, that's the way we have to deal with  
15   it    That's where our fight lies

16          MR SCANLON    Okay

17          MR WILDT    But I do understand what you're saying

18          MR SCANLON    Good    Thanks

19          Mr Harden, I wanted to ask about your five-year-old  
20   or four-year-old son    Four?

21          MR HARDEN    Five now

22          MR SCANLON    Five now, using an ATV    Is this --  
23   what's the model number?   50?   60?

24          MR HARDEN    It's a 60

25          MR SCANLON    It's a 60    And how many miles an

1 hour will that go?

2 MR HARDEN Top speed, I really don't know I'm  
3 guessing about seven to ten It's not that fast right now  
4 I started out with just creeping In fact, it was tedious on  
5 the parent's part Any time there was something in front of  
6 the wheel, I had to go push him to learn But like I said,  
7 that's part of being a parent

8 MR SCANLON And you say he has no problem with  
9 control?

10 MR HARDEN Not at all He did to start with, but  
11 the machine wouldn't go fast enough to do anything, which is  
12 part of why I'm saying the manufacturers have addressed the  
13 problem in that respect And I certainly wouldn't put him on  
14 something I felt he would get hurt on

15 MR SCANLON Thank you

16 Commissioner Dawson?

17 MS DAWSON I'll start with you, Mr Harden We  
18 have talked about a great many measures that can be taken,  
19 during the period of this hearing today, to reduce the  
20 numbers of deaths and injuries And, basically, that is what  
21 we are mandated to do for consumers How do you feel about  
22 standards? We are talking here now, I think, mainly about  
23 voluntary standards, because the industry has been involved  
24 in that effort Do you feel that there are measures that the  
25 industry can take that will produce a safer vehicle?

1           MR HARDEN    I feel there can be and there already  
2   has been    In the model that you see with suspension, with  
3   the numbers for the smaller kids, the better -- I just got a  
4   new update on a new model   There's more suspension

5           MS DAWSON    On a small model?

6           MR HARDEN    On the bigger model

7           MS DAWSON    On the bigger model

8           MR HARDEN    Right    Everything I have seen in the  
9   bloodbath media goes against -- toward the kids   I see them  
10   on vehicles like this and not on vehicles made for them   And,  
11   again, it's the fault of the person putting them on there   I  
12   would in no way put my son on a machine that big like I have,  
13   just like it probably wouldn't be safe for me to be on his

14          MS DAWSON    What about the issue, though, of  
15   standardized controls, that sort of thing?

16          MR HARDEN    That's legitimate, I think   Basically,  
17   all the models I have seen are pretty much the same now  
18   They weren't at first, but they pretty much are now

19          MS DAWSON    You think as new models come out, the  
20   positioning of the controls and the gears and that sort of  
21   thing is going to be more and more similar?

22          MR HARDEN    You can see that now   An earlier  
23   person said he wished they had keys   All our new models,  
24   except for the racing model, they are coming that way   And I  
25   do think that's a good measure

1 MS DAWSON Do you think the customers will  
2 appreciate the value of having the keys and put keys away so  
3 that --

4 MR HARDEN Very much so I hear that, being a  
5 salesman of the product, as one of the major concerns If  
6 people talk about, you know -- the main factor is you're not  
7 going to sell anything if you don't listen to what the people  
8 that want to buy them want That's the good part of what's  
9 coming from this But as the gentleman said, banning them is  
10 not the answer Even though one person said it is, it has  
11 drastically affected my sales, being a salesman Because  
12 what one person said, even though it didn't bear on what you  
13 folks said, it drastically altered our sales of ATVs

14 MS DAWSON Do you feel, though, that the  
15 attention that has been focused on this problem has had any  
16 benefits, in the sense that some of the potential buyers are  
17 maybe a little more aware of some of the safety  
18 considerations that they wouldn't have been aware of?

19 MR HARDEN I think so, and I certainly hope so  
20 By listening to all the conversation, I think you folks can  
21 see that what's happening to the industry is too much all of  
22 once And, yeah, there were people getting hurt But all of  
23 a sudden now the manufacturers have changed the things I  
24 think some good will come of this if what -- the person I  
25 worry about is the ma and pa dealers that have been

1       drastically affected by this

2               MS   DAWSON   Do you see any other ways in which the  
3       vehicle itself can be changed to improve its stability or its  
4       handling?

5               MR   HARDEN   By adding more money to it, anything  
6       can be improved, I guess   But the industry itself has to  
7       evolve to be monetarily affordable for a lot of the community  
8       And it has   Like I said, the first models I have seen, I  
9       didn't even like myself because I couldn't turn them and race  
10      them   And nowadays they are so much easier to turn and handle  
11      Because they weren't selling, they had to change

12              MS   DAWSON   In your part of Wisconsin, are the  
13      users of those vehicles organized into groups?

14              MR   HARDEN   Just seems to be happening   We just  
15      formed a group at my dealership with avid enthusiasts   And  
16      it did come to almost a standing halt after the press media  
17      on the ATVs   But it is -- it has to come to that, just like  
18      snowmobiles   It's very much related to the snowmobiles, with  
19      the fact of the agricultural aspect

20              MS   DAWSON   You say that the effort to organize  
21      the group came to a halt because of the media attention?

22              MR   HARDEN   Sales   If you don't have members  
23      through selling it -- like I say, it drastically came to a  
24      stop after that   It is starting to go on   I'm hoping that,  
25      you know, good publicity can come from it to bring the

1       problem out to light

2                   MS   DAWSON    As a dealer, what do you recommend to  
3       your fellow members of the dealers community to address the  
4       injuries?

5                   MR   HARDEN    To the other dealers or to the  
6       customers?

7                   MS   DAWSON    Well, to other dealers    How would you  
8       recommend that they approach the injury issue?

9                   MR   HARDEN    Well, the main thing is selling the  
10      proper unit to the proper person    As a member from the other  
11      panel said, if a father comes in with some 10-year-old kid,  
12      12-year-old kid, and is going to buy a 200 SX or 250 SX, no  
13      dealer, I guess, should sell him that    But I don't know  
14      Who could sell it to a smaller kid anyway?   You've got to  
15      sell it to an adult

16                   MS   DAWSON    And do you support the state  
17      legislation that was recently enacted?

18                   MR   HARDEN    Which one are you referring to?

19                   MS   DAWSON    In Wisconsin, to regulate or to  
20      require licensing of the ATV

21                   MR   HARDEN    I recognize it as an alternative    I  
22      think the training by the SVIA or the similar products will  
23      be just as good

24                   MS   DAWSON    Mr   Wildt, I appreciated your  
25      testimony very much    Can you give us a little bit more about

1 your own background? What is your involvement with this  
2 particular vehicle, and how much organized activity are you  
3 involved with?

4 MR WILDT Well, I'm the -- I'm 42 years old,  
5 first of all A lifelong motor sport participant and  
6 enthusiast involved in every aspect of it I have raced  
7 stock cars, professional motorcycle racer for half a dozen  
8 years, flying airplanes, snowmobiles, power boating My  
9 enthusiasm for motor sport is boundless

10 I have also been organized with the sport I was one  
11 of the originators of motorcycle ice racing in Illinois And  
12 I also participated as an official in those things So I  
13 have a broad range of interest and enthusiasm for motor sport

14 Beyond that, of course, I have a fabricating shop I  
15 do -- I make parts and pieces for people that race all manner  
16 of things, from ultralight aircraft to snowmobiles,  
17 motorcycles, stock cars, midgets, sprint cars, you name it  
18 So I build these things, obviously, I enjoy them I think  
19 they are important

20 It's a story we would like to get out very much The  
21 ATVs are a very special kind of vehicle, and something really  
22 long needed in the motor sport community We needed a way to  
23 bring youngsters -- and I'm not saying that -- I don't want  
24 to make it sound like I'm saying you should get it for  
25 youngsters That's clearly not so But one of their

1 features is you don't have to have -- you don't have to be  
2 able to ride a motorcycle For example, a five-year-old or  
3 six-year-old can go with his father, and the two of them --  
4 with the father closely watching him, can teach him how to  
5 operate a vehicle, and the two of them can go off and  
6 communicate It doesn't take -- you don't have to learn baby  
7 talk, and the child doesn't have to have the intellectual  
8 capability of the father to understand that there's a little  
9 stream, how you get across it successfully

10 And taking him by the hand and showing him that sort  
11 of thing, it establishes a bonding process in the motor sport  
12 communities families that's very important, which up until  
13 now has waited until the youngsters are 10, 11, 12 years old  
14 Although I've got to say there are some very successful  
15 youngsters at six or seven years old, and I don't know if the  
16 Commission is aware of it or not, that race motorcycles very  
17 successfully And I mean they are very good They are  
18 excellent But that's more of an exception

19 This seems to be able to bring this thing to a more  
20 average person that only has average skills I believe the  
21 ATV is a significant enhancement for the motor sport family,  
22 for the family that is within the -- that would call  
23 themselves part of the sphere of the motor sport community  
24 I think it's a significant enhancement to that family, and I  
25 think it provides a whole lot more than just recreation

1       There is so much more to it

2               You know, it's a tough thing to sit here in front of  
3       you folks -- not that you're not nice people, I'm sure you  
4       are     But you're from a different world     And those of us in  
5       the motor sport community just sit here and struggle for our  
6       survival     And to explain ourselves to you is very difficult,  
7       just as sometimes I have a tough time understanding those  
8       people that go through the baseball, football, hockey thing  
9       It is sort of tough for me to relate to them

10              So we will do the best we can, and I hope we can  
11       explain ourselves to you a little bit     Did that answer it at  
12       all?

13              MS   DAWSON     Yes     I have one other question for  
14       you, then I will move on     You made pretty clear your feeling  
15       about federal involvement in this area, but what about state  
16       involvement?     Does your state have any requirements for these  
17       vehicles at this point?

18              MR   WILDT     To my knowledge at this point, at this  
19       point we don't

20              MS   DAWSON     Would you support that?

21              MR   WILDT     Probably not, but I don't want to say  
22       anything without getting an opportunity to review it first  
23       Probably not

24              My feeling is -- and, you know, this is a real problem  
25       I understand that you guys are a regulatory commission, and I

1     understand that     But I have had exchanges with the  
2     Government before in these things     The one thing that ought  
3     to come up in every one of these discussions -- because it is  
4     real, real important, even more important than injuries and  
5     all these other things that we can parade people in and out --  
6     is this is a free country     And, boy, that's important     It's  
7     not just free for those that want to be lawyers and doctors  
8     It's free for all of us     And we are something -- the motor  
9     sport community is something of a subculture within this  
10    community

11           But that's kind of what America is for     It's kind of  
12    for all of us to have a place to prosper and nourish and grow  
13    And I think that ought to come up in every -- you know, you  
14    guys are not in the suggestion-passing business     That's an  
15    important point     When -- I have noticed the different  
16    witnesses have gone through, you have asked them if this  
17    would be a good idea, if that would be a good idea     Sure, I  
18    can sit here and chat with you all day long about good ideas  
19    I really can     You guys don't do suggestions because they're  
20    good ideas     You do laws, and they are enforced at gunpoint  
21    That's a big difference, and it really is

22           You know, we went through this years ago with the  
23    motorcycle helmet laws     I came from Chicago today     I just  
24    happened to think up there of the incidents we have gone  
25    through     When Illinois got rid of their mandatory helmet

1 laws, they went through all that, but they got rid of them,  
2 and Wisconsin still had it Any number of times  
3 motorcyclists not wearing a helmet from Illinois unknowingly  
4 crossed the state line coming up here in Wisconsin Get a  
5 couple miles over here, stopped by the state police I  
6 cannot tell you the number of horror stories of people being  
7 forced to walk heavy motorcycles two and three miles back to  
8 the state line, with the police patrol car behind them idling  
9 along with the guns in there

10 I'm serious when I say this stuff is enforced at  
11 gunpoint Make no mistake about it Any time you pass a law,  
12 you give an opportunity to abuse, and it happens It happens  
13 in the real world

14 So when you talk about the standardized controls, sure  
15 I can chat with you and say, sure, that's a great idea, with  
16 the possible exception that I want to make room for  
17 technology Those of us that develop these things, we look  
18 at these all the time And maybe we can come up with some  
19 kind of a drive system that doesn't even require a throttle  
20 control or something like that And all of a sudden we are  
21 locked into a law that requires a twist strap that goes this  
22 way to turn it on, and we can't apply new technology That's  
23 one of the problems

24 And secondly is, I think it's a great idea -- if we  
25 want to talk about suggestions, I think it would be a great

1 suggestion But we are talking about laws here That's a  
2 major difference, and I do have a great concern about that  
3 And, again, I wish -- every time one of these regulations is  
4 passed, I just have to trust that you guys do this, that you  
5 sit there amongst each other and say, "Now, let's talk about  
6 one more thing here This is a free society Free for  
7 everyone Is this absolutely necessary?"

8 Thank you

9 MS DAWSON Thank you

10 Mr Schommer, you are very active in both snowmobiles  
11 and ATV organizations, and you are from Wisconsin

12 MR SCHOMMER Yes

13 MS DAWSON Do you support the state legislation?

14 MR SCHOMMER Well, I firmly believe that's the  
15 only way it's going to work here in Wisconsin And that's  
16 the only way that we have got our snowmobile program going,  
17 is through the DNR, the Department of Natural Resources You  
18 have to have that because we run on all private land We  
19 don't have a lot of federal land down on this end of the  
20 state The southern half of Wisconsin is almost all owned by  
21 private -- by somebody And you have to have permission  
22 You have to have land easements And to me, that's the only  
23 governing body that's going to regulate this thing

24 I agree that there's a lot of people that don't want  
25 the government involved And when I was involved in

1 snowmobiling, I didn't like it, either Because I knew I was  
2 going to lose control of my trail system that I set up I am  
3 no longer the head boss of that I am, but I'm not I still  
4 have to listen to the DNR

5 And I have been after these people for a long time  
6 We've got to work together And it's tough because  
7 snowmobiling has been around here a long, long time You've  
8 got a lot of people that do not want these machines on their  
9 snow trails And I don't know how we are going to get a  
10 marriage, but I'm trying Because we've got so many of them,  
11 and they have got to ride somewhere

12 And I ride them, and I ride snowmobiles And like the  
13 man said before at the last meeting, it's about 10 to 1  
14 Because we get about two and a half, three months of  
15 snowmobiling here in Wisconsin, at the maximum And like the  
16 man said, you can ride these things year round, providing you  
17 have permission from the landowner

18 MS DAWSON But what about the effort to reduce  
19 deaths and injuries? You do see that as an important factor  
20 in --

21 MR SCHOMMER Yes, I do And I think with a  
22 safety program you can eliminate some of these You're not  
23 going to eliminate them all Even with snowmobiling, you've  
24 got them down to the minimum now I think, compared to what  
25 it used to be 10 or 15 years ago, God, it's changed through

1       this program

2                   MS   DAWSON    So you feel that the same kind of  
3       effort could succeed with ATVs?

4                   MR   SCHOMMER   It can, but it's going to take time  
5       You know, last year I got ATVs involved in our snowmobile  
6       club    I said, "You have to come to these meetings to find  
7       out what is going on in the trail system, where you can ride,  
8       where you can't ride   Come and get educated "   I invited  
9       them all to come and join our snowmobile club, and we did  
10      We had some of them come and join

11                  But, like I said, I cannot tell my people that have  
12      three wheelers and four wheelers to ride on our funded trail  
13      system   I can put them on our private club system, but not  
14      on the funded system   Because the DNR rules the roost

15                  MS   DAWSON    Mr   Bishop, you're a dealer?

16                  MR   BISHOP    Yes

17                  MS   DAWSON    Do you feel that the safety  
18      precautions that are now being provided by the manufacturers  
19      are improved over what you had?

20                  MR   BISHOP    Yes    Over the past six months, you  
21      know, from when this panel has come about, there has been a  
22      lot of changes from the manufacturers, from brochures that we  
23      hand out as a dealer on down the line, from the setup of the  
24      SVIA

25                  MS   DAWSON    How do you view your own

1 responsibility as a dealer when a customer comes in to buy?

2 MR BISHOP That's a good point We do quite a  
3 bit with a person trying to get them to, you know,  
4 acknowledge that safety is a big factor And it is a problem  
5 when the father comes in, wants to buy a machine to fit the  
6 whole family Because they will try to buy something that is  
7 suitable for the whole family, when really one machine can't  
8 do the young kids as well as the adult But you try to steer  
9 them in the best way possible and then make them understand  
10 all the safety precautions that are necessary as far as  
11 wearing a helmet We go through a complete checklist when  
12 they leave as to all the things that are involved in the  
13 safety

14 MS DAWSON You sell the safety equipment yourself,  
15 too?

16 MR BISHOP Oh, yes

17 MS DAWSON Is that helmets?

18 MR BISHOP Helmets, goggles, gloves, boots,  
19 riding pants that are padded, that type of thing

20 MS DAWSON It is not mandatory, of course, that  
21 the customer buy those?

22 MR BISHOP Oh, no, no

23 MS DAWSON But you try to persuade them?

24 MR BISHOP Especially -- of course, a lot of  
25 people don't buy a helmet at the time They have one around

1 the house, and that type of thing And then they don't get  
2 worn

3 MS DAWSON How about repeat customers? Do you  
4 find you are getting customers coming back and buying  
5 different models, or perhaps more for younger members of the  
6 family?

7 MR BISHOP Very much so Because that's what is  
8 unique about ATVs, is that they are very family oriented  
9 It's different than motorcycling A family can ride together  
10 and have fun at 10 miles an hour, and have the same fun,  
11 where a motorcycle father has to wait back for the rest of  
12 the family, that type of thing So it's just a lot of good  
13 family fun And that's what starts with one machine and on  
14 to two machines and so forth

15 MS DAWSON Are there clubs in your area?

16 MR BISHOP Some, but not too many There's a  
17 little bit of growth around, but not too much

18 MS DAWSON Thank you very much

19 MR SCANLON Thank you, Commissioner Dawson  
20 Dr DeFlore?

21 MR DeFIORE Mr Harden, I think you indicated  
22 your dealership handles several different types of off-road  
23 vehicles, is that correct?

24 MR HARDEN Correct Snowmobile, all-terrain  
25 vehicles, motorcycle

1           MR DeFIORE    You have heard today several people  
2           mention that they thought the usage ratio between ATVs and  
3           snowmobiles is roughly 10 to 1    Would that square with your  
4           impression of --

5           MR HARDEN     Off the cuff, that would be about  
6           correct

7           MR DeFIORE    How about dirt bikes?   Do you have  
8           any feel?

9           MR HARDEN     Dirt bikes compared to ATVs?

10          MR DeFIORE    Yes, or either

11          MR HARDEN     As far as use year round?   Well, the  
12          ATV is much more versatile in how long in the season and how  
13          early in the season you can start    I feel the potential,  
14          because of the family background, is much more so on ATVs,  
15          where you can't -- I would be afraid to put a four- or  
16          five-year-old, or even some of the 10- and 12-year-olds on a  
17          dirt bike, where on a three wheeler it's much safer

18          MR DeFIORE    You indicated earlier that sales were  
19          being affected   Can you give us some figures as to what the  
20          magnitude of that effect has been?

21          MR HARDEN     The biggest figure is my commission on  
22          my paycheck    I can't give you statistics, just that people  
23          are aware    They do watch the media, namely TV, as Mr Wildt  
24          stated, much more than anything else   And the TV program  
25          where it brought to light the safety factor with the kids,

1     you know, every customer that came in, does come in -- how  
2     many don't come in is more than that do come in -- and  
3     comment on it     It brought the problem to light, if it didn't  
4     go overboard

5             MR DeFIORE     Well, as opposed to this time last  
6     year, are your sales up or down?

7             MR HARDEN     Down

8             MR DeFIORE     Do you have a percentage that you  
9     could guess?   10 percent?   50 percent?

10            MR HARDEN     I would guess 50 percent

11            MR DeFIORE     So your sales for, like, say August  
12     of 1985 are half of what they were in August of '84?   Is that  
13     true?

14            MR HARDEN     I would say at this point, although  
15     August is a bad month to begin with     But as a whole, last  
16     winter and fall was much more, and it hasn't come into the  
17     season yet     But you can tell through the sales of the people  
18     that do buy them     We have to go through the routine of "Hey,  
19     are these things unsafe?   Have they been recalled?   I don't  
20     want to buy them if they're going to recall them "   They go  
21     through that just about every day     Then it gets into a  
22     discussion     If it saves a person's life, well, then it's  
23     okay, you know, in that respect     But there's a lot of --  
24     nobody has heard the other side, which seems to affect the  
25     sales, you know

1 MR DeFIORE Mr Bishop, how about your sales?

2 MR BISHOP Down, definitely

3 MR DeFIORE Do you have a percentage that you  
4 could identify?

5 MR BISHOP If you're saying like a year ago now  
6 to a year ago then, I would probably say definitely in the 40  
7 percent range, particularly three wheel

8 MR DeFIORE Mr Harden, you mentioned you believe  
9 there's a significant relationship between suspension,  
10 mechanical suspension, and safety Can you say more about  
11 that?

12 MR HARDEN Well, if you're going over a -- hit a  
13 bump at 10 miles an hour on a vehicle that has no suspension,  
14 if you go over the same bump on a vehicle with eight inches  
15 of suspension, you know, it's common -- I'm not an engineer,  
16 but I've been on one enough to know it's going to be --  
17 you're not going to feel the bump nearly as much on the one  
18 with suspension as the one without

19 MR DeFIORE You also alluded to the fact that  
20 some changes were made to make turning easy Can you  
21 describe some of those, please?

22 MR HARDEN Farlier models of the product that I  
23 sell, it was hard to turn When you turned, you had to put a  
24 lot of body language, as you would say, on it The models  
25 now, such as this one up here -- you can get the statistics

1 on it But you can just ride it by the seat of your pants  
2 and tell, as much as you turn, they have made some  
3 engineering changes

4 MR DeFIORE Do you have any idea what those  
5 changes were?

6 MR HARDEN Steering geometry, I imagine, where  
7 the fork sits is one way that they did it And the  
8 suspension, a lot of them do not have to take up -- you know,  
9 throw the geometry in the middle And some of them turn, and  
10 some of them have some suspension Again, I'm not an  
11 engineer, but I know they work a lot better than they did

12 MR DeFIORE Mr Schommer, you have mentioned that  
13 you have been involved with these since 1969 Have you seen  
14 the evolution in the design of these that have had or has had  
15 an impact on the safety and handling of them?

16 MR SCHOMMER Oh, yes I think these machines, we  
17 have gone from a Model T to a Cadillac in a matter of a few  
18 years The first machine I had was an old Honda, like I say,  
19 ATC 90 That goes back to 1970 No suspension But I used  
20 it mostly for work, and the kids rode it around

21 But from then until now it's like day and night  
22 Excellent machine It's just like the snowmobiles 15 years  
23 ago they were just like a lumber wagon Now they have  
24 improved the suspension, front-rear, just like on the ATVs  
25 And it's all a part of safety It's good for the machine

1           MR DeFIORE    So that you anticipate that these  
2   improvements, technical improvements, in addition to, let's  
3   say, training and information, should lead to a decline in  
4   the injury rate that we are seeing?

5           MR SCHOMMER   Definitely    If you have a training  
6   program and a safety program for everybody, it will eliminate  
7   a lot of it    Like I say, you won't eliminate all of it  
8   because you always have that 5 percent or so that don't  
9   listen anyway   But you will improve that

10          MR DeFIORE    Thank you

11          Mr Wildt, I will just respond to your question about  
12   does anybody think of the issue of safety -- I mean of  
13   freedom as these issues are discussed   I can assure you that  
14   members of the committee and the staff seriously consider  
15   that issue in all the projects that we undertake   We  
16   recognize the responsibility of good government to balance  
17   the multiple concerns in any society, but that freedom is one  
18   that has to rank at the top of any list of concerns   So  
19   while the Commission in its ultimate decision may not conform  
20   completely with what you would wish, at least you can rest  
21   assured that that ingredient is being considered in the  
22   decision-making process by committee members and the people  
23   working with us

24          MR WILDT    Well, if you don't mind, I would just  
25   like to restate that again, Mr DeFlore   It is very

1     important     I don't want to just -- I don't want this is a  
2     free country being one of the elements to consider     Boy,  
3     it's the overriding blanket element     The fact of the matter  
4     is that any of these regulations, any laws must be, in this  
5     kind of society, in my judgment anyway, minimal     Absolutely  
6     minimal     And it must be absolutely mandatory that there is  
7     no question on anyone's part that they have to be     We should  
8     all be in agreement with that     There should be no question  
9     about it

10            You know, what you're about talking here, you're  
11     talking about the steering improvements and things like that  
12     A lot of that has to do with engineering characteristics     I  
13     presume -- and I'm just guessing, I don't know most of those  
14     folks     But I would presume most of you guys are attorneys,  
15     if Washington, D C runs true to form     90 percent are  
16     attorneys     It's really tough to explain to you guys  
17     characteristics     Am I wrong?

18            MR SCANLON     None of the three of us are attorneys  
19     We escaped that

20            MR WILDT     Okay     We don't have that burden to  
21     deal with

22            I just want to give you a point     You know, as a  
23     person that takes and makes things for a living, I  
24     manufacture -- I don't want to say manufacture     I'm a  
25     one-man shop     But I will take and design and create frames

1 and chassis and things like that I want to use a motorcycle  
2 as an example because they're not -- some of the motorcycles  
3 things are like this, as some of the cars things are

4 When you talk -- when you take a look at the steering  
5 business, when I develop, design and make a frame for a guy  
6 that's going to use a motorcycle for flatjack racing --  
7 that's an oval track on horserace tracks -- that's going to  
8 be a short track Quarter mile, banked Quarter mile I  
9 will give it a very steep steering head rate What we're  
10 talking about there is the angle that the steering head is  
11 from the ground The steering head I'm not talking about  
12 forks or anything The steering head, where the stem goes  
13 through the steering head And I will give it a very steep  
14 angle And I do that for a couple reasons

15 Number one, you want real quick steering under those  
16 conditions It's only a quarter-mile track Maximum speed  
17 on the track is 65, 70 miles an hour, something like that  
18 And what's most important is getting very quick steering and  
19 getting a lot of weight on that front wheel so that the front  
20 wheel doesn't slide out while they are doing the maneuvers  
21 necessary in that And the machine is absolutely perfect for  
22 those conditions

23 Take that same machine and run it at 100 or 110 miles  
24 an hour on a larger track, and you will be in serious trouble  
25 because the machine does not want to go in a straight line at

1       that speed     But it's great when you pitch into the corners  
2       So on that kind of a machine, I will take and give it a less  
3       severe steering head angle     I give it less steering head  
4       rate

5               The point that I'm getting at is that that's the  
6       nature of engineering     You give up something     There's no  
7       free lunches     There are no -- just like when you do laws  
8       There are no free lunches     When you take and give up  
9       something, you get something for it     And hopefully what  
10      you're getting is what you need for that application

11             I just wanted to make that point about this so we  
12      don't think that there's some kind of magic wand     I think  
13      these things are well made, well designed     I think each  
14      manufacturer had a couple different ideas     I think they are  
15      meritorious     I think, for specific applications, some are  
16      better than others     But I don't want to -- we seem to have  
17      the impression here that there is some kind of a defect     And  
18      maybe we're talking about a matter of wants rather than a  
19      defect

20             Okay     I have a feeling you are winding down here, so  
21      that's all I will say

22             MR   SCANLON     Okay

23             Thank you, gentlemen, for coming to Milwaukee and  
24      sharing your views with us

25             This will be the last panel     It will be composed of

1 persons representing various disciplines and viewpoints It  
2 will be those people who either came late today or signed up  
3 after the closing time we had set I have five names If  
4 there is anybody else who fits into this category, just come  
5 to the table and introduce yourself

6 Joe Steier from Oconto, Wisconsin Gene Schulz from  
7 Cedarburg Steve Sanders from Springfield, Tennessee Brad  
8 Peterson from Racine James Baxter from Wisconsin ATV  
9 Association

10 Is there anybody else? Did you sign up, sir?

11 MR NORDELL No

12 MR SCANLON Well, come on up We need your name  
13 and the place you are from

14 MR NORDELL Paul Nordell from the Minnesota  
15 Department of Natural Resources

16 MR SCANLON I'm sorry What is the name?

17 MR NORDELL Paul Nordell N-o-r-d-e-l-l

18 MR SCANLON And where are you from?

19 MR NORDELL Minnesota Department of Natural  
20 Resources

21 MR SCANLON St Paul?

22 MR NORDELL St Paul

23 MR SCANLON Okay

24 Mr Steier, we will begin with you Am I pronouncing  
25 it correctly?

1           MR STEIER    Yes    The reason I'm here is, I bought  
2   an ATV --

3           MR SCANLON   Can you speak into your mike?

4           MR STEIER    Yeah    I bought an ATC over a  
5   snowmobile a year ago, last year   And the reason I did is  
6   because you get more use out of an ATC   But one thing that  
7   really decided me was their advertising   And I believe they  
8   have an awful lot of false advertising on TV, saying that  
9   machines can go through mud and water, et cetera   And they  
10   just don't seem to do that without having problems with them

11           That's all I have

12           MR SCANLON   Okay

13           Mr   Schulz?

14           MR SCHULZ    My name is Gene Schulz   I'm the owner  
15   of Country Roads Honda in Cedarburg, Wisconsin, and we are  
16   retail sales of motorcycles and the Honda ATVs   I didn't  
17   come here with a prepared speech, but I did note some things  
18   through the day that I might want to bring to your attention

19           I notice that most of the accidents that they are  
20   relating to with injuries were involving people hitting trees,  
21   in their backyards, on sidewalks, country gravel roads, in a  
22   cul de sac, an ATV hitting a 20-inch ditch   And I think  
23   there is one thing that is probably in common with most of  
24   these, is it seems like none of them were really in a  
25   designated riding area, either a trail or an area that's

1 developed for this type of riding

2 I think that one of the things that has to be  
3 addressed very seriously, along with the ATV safety course,  
4 is that these machines have to have a designated area that  
5 they can use them There is many people that are buying them  
6 every day that really don't know where they are going to use  
7 them And a lot of accidents can be caused by people in  
8 terrain that just maybe is not suited for what they're doing  
9 with it

10 Very common, of course, is the fact that they aren't  
11 wearing the proper gear, and many are associated with head  
12 injuries But I think that the sooner that the state and  
13 local and county can develop riding areas, you know, the  
14 faster that you can improve the safety statistics that you  
15 have

16 One of the things also, of course, is the fellow from  
17 Antigo brought up the fact that his registrations went from  
18 17 units, I believe, in about 1981 up to about 430 units in  
19 1985 That's been a progressive increase in units registered  
20 on their snowmobile trails that they have allowed ATVs to be  
21 used on I think my hat is off to those people up there that  
22 have recognized the fact that there has to be an area to  
23 allow these people to ride the machines

24 When I am hearing a lot of statistics of accidents, I  
25 am wondering if they are relating the number of accidents in

1 1981 or 1982 versus the number in '85 or if they are relating  
2 it to the number of units that are physically out there  
3 Because you have had a tremendous amount of increase in the  
4 number of units Generally speaking, I would think that  
5 there is going to be somewhat of an increase in the accidents  
6 proportional to the units You know, there is bound to be  
7 some injuries

8 It's no different than the Saturday news, when some  
9 young four-year-old girl was sitting in her front porch and a  
10 car came off the street and hit the porch and injured the  
11 girl Any time you have this number of units out, you're  
12 bound to have some sort of statistics

13 The safety programs are definitely needed as far as  
14 trying to control these, which I think the manufacturers are  
15 well aware of And they are striving very positively with  
16 the dealers to try to develop training courses and so on

17 As far as a mandatory age that somebody can drive a  
18 machine or when they should start learning, I can't imagine  
19 that they should not -- you know, to say 12 years or 14 years  
20 old, that's a very hard number to come up with You've got  
21 children nowadays in the early grade school that are learning  
22 to use computers They are being taught foreign languages  
23 they can master They've got tremendously intelligent minds  
24 I don't see that -- why, the sooner that you can get to them  
25 and start developing the proper way of operating these units,

1 the less problems you're going to have later on

2 If they are getting into -- the snowmobile clubs have  
3 set some very fine examples, I think, of controlling the  
4 accident rates by having the mandatory requirements that they  
5 have to pass a specific test before they can ride on their  
6 trails But at the moment we do not have an organized trail  
7 network that people can ride on, so it's pretty hard to  
8 control who can ride where and what requirements it's going  
9 to be to ride the ATVs This has to be developed I don't  
10 think so much by the manufacturer end of it, but I think it  
11 has to be with the state and local clubs to develop the  
12 riding areas And it's the only way it's going to be brought  
13 forth

14 MR SCANLON Can you summarize, Mr Schulz? Your  
15 time is up

16 MR SCHULZ Okay I think, I guess, to sum it up,  
17 one of the very serious things, I think, is that the trail  
18 network has to be developed for the ATVs, the riding area,  
19 and it has to be done on a year-round basis The sooner this,  
20 along with legislation, gets in progress, the faster the  
21 accident rate is going to go down

22 MR SCANLON Thank you

23 Mr Sanders?

24 MR SANDERS Thank you, Chairman Scanlon

25 MR SCANLON Welcome to the Midwest

1           MR SANDERS   Well, I've been all over the country  
2 following you all   And I don't think the lady is going to --

3           MR SCANLON   I know

4           MR SANDERS   I don't think the lady will have any  
5 problems catching onto my speech because I'm kind of slow to  
6 talk, being from the South

7           Since our last meeting, or your last meeting that I  
8 attended was in Dallas, Texas, I came back home, and I am now  
9 an ATV safety instructor, certified by the SVIA   I also have  
10 three other employees at my dealership that are certified  
11 So I think, as you know, we are dedicated to ATV safety

12           There are some problems involved in this safety course,  
13 though   It's an excellent course   It takes three and a half  
14 to four days for a person to become certified   It's the  
15 hardest four days I have spent probably in the last 10 years  
16 I didn't know if I was going to make it or not   But I did  
17 make it, and I learned a lot from it

18           The reason it's a hard process is -- our dealership is  
19 very lucky   We sit out in the open country in a little  
20 agricultural community north of Nashville   I've got land, an  
21 excess of land   We are in the process of buying some more  
22 land to set up strictly an ATV safety training course  
23 That's all it will be used for   A lot of dealerships and a  
24 lot of people are having problems getting places to put these  
25 training courses on   So I think that's one of the reasons

1     that this -- as you related to the 16 to 1 ratio, that 16  
2     bought to one person trained, those numbers are going to get  
3     closer and closer together

4             This is our first year     I am very proud to say that I  
5     was one of the first seven ATV instructors in our state  
6     We're going to see a lot more     But until we do, it's going  
7     to be hard to train these large numbers of people that you  
8     want trained or that we want trained without losing a lot of  
9     the quality of that education     I could go out tomorrow and  
10    train a thousand people, but none of them could ride an ATV  
11    I could go out tomorrow and train those six, like we have  
12    been taught to do, and every single one of them could ride  
13    that ATV at the end of that six-hour course     And I think  
14    that's a big key to the whole safety training program, is not  
15    the numbers but the quality     The quality that we provide for  
16    these people

17            I do think that each dealership should be required to  
18    have an ATV instructor, either employed or on retainer  
19    However, I don't think this training should be mandatory at  
20    the point of sale     Being a business person, I am regulated  
21    by all types of governments, and I get tired of it, like  
22    everybody else     But in an agricultural community, the poor  
23    farmer has been kicked and beaten already     You're not going  
24    to make him take a safety course before he buys this vehicle  
25    He'll just get his buddy to go out who has taken that safety

1 course, buy the vehicle, he'll take it home, and they will  
2 never be trained

3 We've got to make these people realize that there is a  
4 need for this training, not tell them that they have got to  
5 do it If you tell me I've got to do something, most of the  
6 time I don't want to do it If you can make me realize that  
7 I need to do that, then I will probably be a lot more  
8 receptive

9 And, as usual, every time I've been to these meetings  
10 I hear some testimony that gets my blood to boiling And  
11 they all seem to be the engineers We always have paid  
12 witnesses to come up here and give you testimony and expect  
13 you to take it as the truth But Dr Huston doesn't have a  
14 real good track record He has taken his testimony to court  
15 on at least three occasions that I know of, and a jury of his  
16 peers has found that they didn't believe it I didn't  
17 believe it And I wanted you to know that a lot of the stuff  
18 he is saying, it may be true to his computer, but in real  
19 life it does not work

20 One other thing and I'll be gone The parents I  
21 have a problem with the parents We were very fortunate at  
22 our dealership We had a lost life, a child that lost her  
23 life And I will never forget it because her parents would  
24 not buy a helmet Their little girl didn't need a helmet A  
25 \$25 helmet could have saved that girl's life They didn't

1       come back blaming me    There have been no lawsuits because  
2       they know that they were wrong and I was right

3               And I think it's time for a lot of these parents to  
4       accept the responsibility that they are causing the accidents  
5       to their children   Not the dealers, not the manufacturers,  
6       not the place that they are riding   It's because the parents  
7       have too many other things to do to go out and watch that  
8       child, make sure that child knows how to ride or has a helmet  
9       or doesn't go borrow little Johnny's three wheeler   You know,  
10      I have to accept my responsibility to take care of my own  
11      wife and my little boy, and I expect every other American to  
12      do the same thing

13             Thank you

14             MR   SCANLON    Thank you, Mr   Sanders

15             Mr   Peterson?

16             MR   PETERSON   My name is Brad Peterson, and I'm  
17      from Racine, Wisconsin   I came up here initially just to sit  
18      in and listen, and then thought towards the end I felt like I  
19      should speak a little bit

20             I've been riding ATVs, involved with them, for about  
21      six or seven years now   And for the last four years I have  
22      been a dealer, selling two of the major brands of ATVs and  
23      their related cycle products

24             I have been riding with my nephew now for about a year  
25      or so   We started him just after his fourth birthday, and

1     he's about two months short of his sixth birthday now     And  
2     he has rode without incident during that time period

3             I have also, in the time period I have been riding,  
4     not experienced any of these major difficulties that we're  
5     hearing about myself

6             From a dealer level, our sales rose dramatically over  
7     the past four to five years, our sales of three- and four-  
8     wheeled ATVs     We have had, I guess, relative luck or success,  
9     whatever, in our customers who ride them     They have had very  
10    few accidents, and no serious injury accidents at all amongst  
11    our customers

12            The thing that has struck me that really seems to be  
13    necessary here is we need a concerted effort towards safety  
14    in ATVs     I don't think legislation on the machine or  
15    changing the machine or anything in there is going to be a  
16    major help at this point     I think that, as people have  
17    testified already and I think that we have seen to be true in  
18    all areas of product development, the products have gotten  
19    better     ATVs have improved over the years     Suspension has  
20    now has been added over the last several years     The brakes  
21    are much better over the last several years     The handling  
22    characteristics are better     So we see that the machines are  
23    improving, and I believe will continue to improve

24            I think that the dealers are more aware     I certainly  
25    know that one of the lines we sell is Honda, and they have

1     made quite an effort, particularly over the last year or two,  
2     at giving safety materials to the dealers     They have given  
3     us hang tags over the last year with large and clear,  
4     easy-to-read warnings concerning ATC usage and safety and  
5     suggestions on riding     I also know that in the owner's  
6     manuals they do have large sections     They have provided us  
7     with audio video tapes, VHS and Beta tapes concerning ATV  
8     safety for use in our dealerships

9             Also, as part of the normal setup of an ATV with Honda,  
10     you must fill out a set of pre-delivery checklists     Now,  
11     there are just a couple items on there where you have to  
12     review the machine, but it's a perfect opening into safety  
13     And we have used that at our dealership as an opener to talk  
14     about safety

15             I think that it would probably be a real beneficial  
16     thing to do to have a tape such as Honda had on safety and  
17     have it a little bit more pointed than the one that they have  
18     They could show the different uses of them, different  
19     potentials that the machine has, different handling  
20     characteristics, things that are unique to both three and  
21     four wheelers, and have it be just a little more pointed for  
22     the customer, a little more direct, a little more education  
23     concerning the use of the ATVs     There are certain things  
24     that perhaps they shouldn't be used for, and I think that  
25     they could go into that a little bit also during the video

1           Also, again, safety equipment has been alluded to  
2       several times    The customers just aren't buying the safety  
3       equipment as much as they should    And perhaps if there is a  
4       regulation that needs to be imposed, perhaps one of the first  
5       areas that would be the least stressful to everybody would be  
6       in the area of helmets perhaps being a mandatory item in  
7       riding ATVs    They have come and gone in cycles over the  
8       years    They have had the laws and repealed the laws    But I  
9       don't think that the public would squawk at all on ATVs    I  
10      think it's fairly clear, if you're riding around, that some  
11      brush and some rocks occasionally will fly up    And to have  
12      that protection in the mouth area and around the head I think  
13      is something that, again, the customers wouldn't balk at

14           Again, riding areas have been mentioned before  
15      Everyone, I think, pretty much agrees that there is a need  
16      for a regulated riding area    I think Wisconsin just the last  
17      month has passed an ATV legislation, a comprehensive  
18      legislation that they hope to have really working in about a  
19      year from now    But it has been mentioned before also riding  
20      areas    People riding where they shouldn't ride, in areas  
21      that aren't large enough and in very difficult terrain    And  
22      with the more unified and well-laid-out trail area, I think  
23      that we would, again, see more safety coming about and fewer  
24      accidents

25           In general, I guess I would just say we need a

1 concerted effort You know, not just shooting at one item or  
2 another, but more of a concerted or comprehensive meeting of  
3 the minds of manufacturers, the regulatory bodies and the  
4 dealers, point of sale, in making ATVs safe and enjoyable for  
5 the people who choose to use them

6 MR SCANLON Thank you, Mr Peterson  
7 Mr Baxter?

8 MR BAXTER Yes I will apologize for any  
9 redundancy now, because I imagine you have heard quite a bit  
10 of this But I will continue, and hopefully it won't take  
11 too much time

12 My name is James J Baxter, and I'm here today  
13 representing the Wisconsin All-Terrain Vehicle Association  
14 The WATVA has a diverse membership with three categories,  
15 individual, family and dealer And we represent roughly  
16 2,000 users and owners of all-terrain vehicles here in the  
17 state of Wisconsin

18 A short historical perspective on ATV use here in the  
19 state, from about 1970 till 1979 ATVs were not commonplace in  
20 Wisconsin There were a few thousand units rattling around  
21 in the fields and on the frozen lakes, but by and large you  
22 did not see a large number of ATVs in this state

23 Due to a succession of snowless winters and also the  
24 evolution of the machines, we saw dramatic increases in the  
25 sales of ATVs, many of which were sold to snowmobilers or

1 other trail users who tried to use or wanted to use ATVs  
2 during those winters where we did not have much snow

3 With the rapid growth came problems, as you are  
4 already alluding to, safety being one of them Along with  
5 those were some problems related to conflicts with other user  
6 groups, primarily the snowmobilers, environmental concerns,  
7 roadway utilization, vehicle identification and theft  
8 prevention, and accommodating the special needs of commercial  
9 and agricultural users

10 The obvious choice for us was ATV legislation  
11 Started in 1982, our ATV legislation had substantial  
12 opposition and also a certain amount of benign support from  
13 the state agencies Hence, it was a three-year effort for us  
14 to pass this particular bill We did resolve the conflicts  
15 with the other user groups, and the state has taken a more  
16 active interest in ATV legislation and ATV issues

17 Those issues or those portions of the bill that relate  
18 to safety would include the age restrictions, which are all  
19 persons under 12 must be under the supervision of an adult,  
20 all persons between 12 and 16 must be accompanied by an adult  
21 unless they have passed the certified safety instruction  
22 course It establishes a safety instruction course and  
23 authorizes and provides funding for that course

24 It deals with some of the road use concerns It  
25 contains a general prohibition on road use, but permits

1 exceptions for trail purposes, special events, and routes  
2 that connect users with areas and trails open to ATV use It  
3 eliminates road crossing prohibitions that were largely  
4 ignored and a source of confusion in the state

5 It has user regulations It prohibits operation of  
6 ATVs when persons are under the influence of intoxicants or  
7 drugs It regulates speed in the areas populated by  
8 residences or other recreation interests

9 It provides authorization, penalties and funding for  
10 enforcement purposes It embodies an accident reporting  
11 system that sets up a uniform system of accident reporting,  
12 thereby providing information on accident trends and  
13 identifying possible corrective measures

14 It establishes standards, funding and regulations for  
15 public trails This puts users in a safer recreation  
16 environment than that which is currently existing

17 The law is based on the premise that reasonable  
18 regulations and honest accommodation will result in willing  
19 compliance on the part of those people most directly impacted,  
20 the ATV owner and user

21 You will note that our law does not intrude beyond  
22 basic lighting, braking and muffling requirements in the area  
23 of design characteristics This was intentional and reflects  
24 our belief that an ATV is a human concern and not an inherent  
25 design problem

1           In reviewing the admittedly sketchy accident  
2 information for ATV-related accidents in Wisconsin, I see  
3 nothing to contradict our original belief   There is ample  
4 evidence of poor judgment, inadequate supervision and gross  
5 carelessness, but little to indicate mechanical or design  
6 flaws   Falling through thin ice, hitting trees, farm  
7 equipment or cables or permitting seven-year-old children to  
8 transport 20-month-old babies are weak cases for attacking  
9 ATVs' dynamic stability or other design features

10           We do agree on the need for standardization of control  
11 location and operation   It is our understanding that the  
12 industry is taking steps in this direction

13           In summary, the WATVA as an organization is convinced  
14 that, following the implementation of Wisconsin's  
15 comprehensive ATV law, we will have a vast and safer  
16 environment for ATV utilization   It will be based on user  
17 consensus and compliance with reasonable regulations   We  
18 feel, as other states develop similar approaches, we will see  
19 the ATV crisis diminish in intensity

20           MR SCANLON   Thank you

21           Mr Nordell?

22           MR NORDELL   My name is Paul Nordell from the  
23 Minnesota Department of Natural Resources, the trails and  
24 waterways unit   I'm in the trail planning section

25           The Minnesota Department of Natural Resources has a

1 safety program and a limited use program for ATVs in  
2 Minnesota We currently have almost 14,000 registrations,  
3 and that's since the program began Registrations began last  
4 December So up to the end of August, just under 14,000  
5 And our estimates indicate that we've got about 75,000  
6 recreational users in the state, and perhaps as many as  
7 90,000 as of December last year for all use for ATVs And  
8 the registration is \$18 for three years

9 Up until July 1 of this year, it was possible to make  
10 your ATV street legal in Minnesota It was through the  
11 efforts of manufacturers and a number of safety officials  
12 that that law was reversed so that it is no longer possible  
13 to renew an ATV for street legal status That was simply a  
14 loophole in the law previously

15 The current program allows for people to use DNR-  
16 designated lands, primarily state forest lands and frozen  
17 lake surfaces These are the primary use areas within DNR  
18 jurisdiction in Minnesota

19 Our age restrictions are ages 13 and under, there is  
20 no permissible operation on the DNR lands And if you are  
21 age 12 and above, you can operate with your safety training  
22 certificate And that training program is just beginning now

23 We do have -- we have gotten our manuals out, and this  
24 is handled through the Division of Enforcement Like I say,  
25 it's just beginning It's not as comprehensive, perhaps, as

1 some programs, but it is designed to be correspondence with  
2 parental supervision, followed by an on-hands testing

3 We do have some information on safety statistics in  
4 Minnesota The only real source of the statistics comes from  
5 our Department of Public Safety And I have a brief  
6 breakdown of some of those statistics for just the first six  
7 months of 1985 We had zero fatalities, 36 total accidents  
8 And of those 36, there were 11 incidents where alcohol was  
9 reported to be involved with the driver And the type of  
10 accident was primarily those in which the driver was thrown  
11 from the vehicle The total number of injuries among those  
12 36 accidents was 46 Obviously, we've got some multiple  
13 ridership

14 In terms of degree of severity, out of the 46 we had  
15 30 that were in the severe category And of those severe, 21  
16 were wearing no helmet, five were using a helmet, and four  
17 unknown helmet usage Predominantly male usage And of all  
18 those 46 accidents, 31 were without helmets So it just  
19 about coincides with the severe injuries

20 The age category is predominantly age 20 and below,  
21 approximately half the cases

22 I do have these statistics available I gave them to  
23 your person

24 In terms of seasonality, we seem to have -- from  
25 another survey we have determined that the use is primarily

1       spring and summer

2               The question was raised earlier about a difference  
3       between ATVs and snowmobiles   It is quite clear that ATV use,  
4       in terms of number of days per year, is quite a bit higher  
5       than a snowmobile   For example, a survey we did back in  
6       December would indicate the average Minnesota ATVer would  
7       have 11 days of winter use, 12 days of spring use, 18 days of  
8       summer and 14 days of fall   So that gives you a little bit  
9       of an indication of where the ridership is occurring in  
10       Minnesota

11              Our survey also indicated that about 42 percent of  
12       all Minnesota households have an ATV   So per capita there is  
13       quite a bit of it in Minnesota

14              Thank you

15              MR SCANLON   Thank you, Mr Nordell

16              Mr Schulz, do you provide any type of training at the  
17       time of purchase at your dealership?

18              MR SCHULZ   When a customer purchases a machine  
19       from us, we have a -- it's about a 15-minute VHS video  
20       presentation that is supplied by Honda, which we try to show  
21       every customer   In addition to that, we have the set-up  
22       delivery which the other fellow here was relating to   We do  
23       the same thing, along with a verbal presentation that each  
24       salesman goes through the machine and all the features with  
25       the customer   We strong --

1           MR SCANLON   Do you go out and do any actual  
2 riding on the vehicle?

3           MR SCHULZ   Well, at the location that we're at  
4 now we can, yes   Some customers   You know, we try to  
5 encourage the use of the helmets and the safety gear   I  
6 think we try to stress that extremely heavy   And we do also  
7 stress the fact that the owner's manual -- that they use it  
8 Of course, each individual is different   Some have  
9 reluctance after a while to, I think, follow through   But we  
10 definitely do that at the dealership level

11          MR SCANLON   Definitely do what at the dealership  
12 level?

13          MR SCHULZ   Run through the features of the  
14 machine and --

15          MR SCANLON   Oh   But you don't put the buyer on  
16 the vehicle himself and show him how to use it and go out  
17 with him?

18          MR SCHULZ   Not every one

19          MR SCANLON   Do you do it with any of them?

20          MR SCHULZ   Some, sure

21          MR SCANLON   Some   Okay

22          Mr Baxter, does the Wisconsin ATV Association provide  
23 any type of training to its members?

24          MR BAXTER   No, not at this time   And I doubt  
25 that we will, other than through charter clubs in the state

1       Once we have the ATV legislation implemented, which is in  
2       July of 1986, then we will have a mechanism by which we can  
3       offer some form of training     But right now we would need  
4       certified instructors in the association, which I know we  
5       only have perhaps one or two because of, again, the earliness  
6       of the program, or I should say the recent development of  
7       this program

8               Last year, prior to much of the discussion taking  
9       place over Consumer Product Safety Commission's concern, we  
10      were involved in working out a pilot study of a safety  
11      program in which our members were involved, the idea being to  
12      test the SVIA approach to training new ATV operators

13             MR   SCANLON     Who is providing the SVIA training in  
14      the state?   Anyone?

15             MR   BAXTER     Currently no one is     We do not have a  
16      mechanism in this state for setting up that kind of a program  
17      yet     It's one of the reasons we passed the legislation

18             MR   SCANLON     The legislation would train teenagers

19             MR   BAXTER     No, the legislation would train  
20      anybody     But the natural incentive is for teenagers to take  
21      the course     It would allow them, if they had that  
22      certificate, to ride unaccompanied by an adult     Anybody  
23      could take the course

24             MR   SCANLON     I'll just offer my own personal  
25      assessment     With the number of injuries and deaths that you

1 have in this state, not to have a formalized training program  
2 at this juncture is foolhardy. Somebody has got to get in  
3 here and provide training

4 MR BAXTER Well, I think that the industry, to  
5 its credit, has been making an effort to get people trained  
6 and brought into the state. And we have had individuals who  
7 are attempting to secure property or places at which they can  
8 put on such a program. But there's a host of little problems,  
9 one of which is liability insurance. Another one is finding  
10 a sponsoring organization or agency that can cover the  
11 programs. It's not something that somebody is going to put  
12 on in their backyard. And I would not necessarily recommend  
13 even to some of the dealers to get intensively involved with  
14 a training program until they were quite sure that their  
15 insurance would cover them in the likelihood of an accident

16 MR SCANLON Couldn't your state association,  
17 Wisconsin All-Terrain Vehicle Association, act as the conduit  
18 for this type of insurance?

19 MR BAXTER We are trying to act as a conduit.  
20 The state association is the group that passed this  
21 legislation. And the reason for it was, or part of the  
22 reason was, to get the safety certification program off the  
23 ground. And we are trying to do the same thing that has been  
24 done with hunter safety, boating safety and snowmobile safety  
25 programs in this state, which is set up a grassroots system

1       for training where people can get this type of training in  
2       their own communities, where they do not have to go to some  
3       centralized facility a long way from their homes

4               MR SCANLON    But are you saying the training is  
5       not in place in any area of the state?

6               MR BAXTER    I am not aware of any formal programs  
7       at this time going on in the state of Wisconsin, with the  
8       exception of those that are being sponsored by Langlade  
9       County, Marathon County, and some other small groups of  
10      people who are actually just offering training for members of  
11      their clubs or neighboring groups

12              MR SCANLON    I personally will contact SVIA  
13      tomorrow when I'm in Washington and see what can be done to  
14      speed up their program in this state    I didn't know it was  
15      so far behind    I had no idea it was this bad

16              MR BAXTER    Well, certain things are beyond SVIA's  
17      control, one of which is, as I mentioned, sponsoring  
18      organizations, property and insurance    They're trying to put  
19      the instructor --

20              MR SCANLON    You are going to come here a year  
21      from now and tell me the same thing, and during that year you  
22      will have a lot of injuries and deaths    So that wouldn't do  
23      any good

24              MR BAXTER    We've got two deaths this year in the  
25      state of Wisconsin, which is definitely unfortunate

1 MR SCANLON You have 22 deaths in three years

2 MR BAXTER Right But if we are looking at  
3 trends, we had two this year We had 10 last year Now,  
4 clearly something has happened out there that people are  
5 being more conscientious in the use of these vehicles and  
6 trying to better equip people to use them before they  
7 actually go out on their own and ride So there are more  
8 ATVs in Wisconsin at least by 15,000 this year than there  
9 were last year, and yet we only have two fatalities in the  
10 state this year So something is happening out there I  
11 grant you it's not a formal program, but people are making an  
12 attempt to deal with the safety issue

13 MR SCANLON In three counties

14 MR BAXTER No, across the state You've got  
15 individual dealers who are trying to set up little  
16 instruction programs on their own You've got -- we have  
17 four clubs that are trying to do something on their own  
18 Again, on an informal basis They are not formalized  
19 programs They are not the kind of thing that they can  
20 charge fees for And they may not be offering the SVIA  
21 training program, but they are equipping people with the  
22 basic skills to learn how to ride an ATV safely

23 MR SCANLON Are the four manufacturers assisting  
24 in this effort?

25 MR BAXTER The four manufacturers are providing

1 training materials through the dealer networks that these  
2 dealers can use with their customers

3 MR SCANLON This is the same stuff that's been  
4 available for years, is it not?

5 MR BAXTER No, it's not It's stuff that has  
6 been available since approximately the middle of last winter

7 MR SCANLON Okay

8 Commissioner Dawson?

9 MS DAWSON Well, I just want to commend you, Mr  
10 Baxter, for the work of your organization Obviously, you  
11 did work to get this state legislation passed, and hopefully  
12 it will solve some of the problems that we have

13 I think we have pretty well covered the training issue  
14 I do hope that next year you will have more certified  
15 instructors I know that's one of the important things  
16 It's very difficult to reach Given not just the new  
17 customers, but all those people that are out there that have  
18 had ATVs for quite some time, they could also benefit from  
19 some formal training

20 MR BAXTER We have found that, in our association,  
21 for instance, we have quite a few people who would be a long  
22 way from being considered teenagers who definitely need  
23 training and would take some training if there were some  
24 solid programs available close to their homes

25 MS DAWSON I agree

1           Mr Nordell, I wanted to recognize the fact that your  
2 state, although it also has a high number of deaths  
3 associated with ATVs -- what was the impetus in the  
4 regulations that you have adopted thus far?

5           MR NORDELL    Okay    The regulations we do have so  
6 far were the result of lobby efforts, local clubs supporting  
7 legislators, with DNR review of proposals to see that they  
8 were compatible with our agency goals   That process was  
9 introduced a few years ago, in 1984 effectively   The laws  
10 became effective January 1 of this year, most of them   That  
11 was the result of two years of legislative effort

12           MS DAWSON    The laws became effective January 1  
13 of '85?

14           MR NORDELL    Correct

15           MS DAWSON    What do they require?

16           MR NORDELL    Registration, primarily

17           MS DAWSON    Registration? Is there a helmet law  
18 also?

19           MR NORDELL    There is no helmet law   It's part of  
20 the training program   With the safety training program that  
21 was reviewed by SVIA, there were recommendations having to do  
22 with helmet usage

23           MS DAWSON    Who actually has the responsibility  
24 for the safety program?

25           MR NORDELL    Division of Enforcement, Department

1 of Natural Resources

2 MS DAWSON Division of Enforcement under the  
3 Department of Natural Resources?

4 MR NORDELL Yes, yes

5 MS DAWSON So in their safety program, what's  
6 included?

7 MR NORDELL It included -- the way I understand  
8 it, you make application for the manual, and there is a \$5  
9 charge there

10 MS DAWSON Now, who produces the manual? Is that  
11 a state function?

12 MR NORDELL The state, yes The Division of  
13 Enforcement has produced that And it is now available And  
14 between parent and juvenile that -- it's a workbook approach  
15 And when that is completed, it's my understanding that a  
16 hands-on demonstration of the skill is necessary for  
17 certification That certification is necessary for use on  
18 the designated state lands if you are age 13 and above, I  
19 believe

20 MS DAWSON So this certification comes actually  
21 from the State Department of Natural Resources

22 MR NORDELL That's correct

23 MS DAWSON But it is required for anyone who  
24 wants to operate an ATV on public land?

25 MR NORDELL It is patterned very closely with

1 snowmobile legislation And that generally includes those  
2 prior to the time they have any kind of a vehicle, driver's  
3 license, which also has a training program associated with it  
4 That fills in the void between ages 12 to 16, approximately

5 MS DAWSON I see Are you involved in sort of a  
6 cooperative effort with any federal agencies in your state,  
7 such as the extension service or any other forestry service,  
8 for example?

9 MR NORDELL We have talking arrangements,  
10 exchange of information, with members of the National Safety  
11 Council, the farm organization And the statistics I quoted  
12 are from the Department of Public Safety, which monitors  
13 anything to do with road-related --

14 MS DAWSON Were you here earlier when the  
15 gentleman from the National Safety Council made a statement?

16 MR NORDELL Yes, yes

17 MS DAWSON That was the first I had heard of  
18 their involvement in this 'And it sounds pretty encouraging  
19 in that they are particularly involved with the agricultural  
20 end of use of ATVs

21 MR NORDELL Yes There has been a very great  
22 difficulty, even within the agricultural sector, and it has  
23 been pointed out earlier today, simply to get information on  
24 accidents I was encouraged to hear that the Wisconsin law  
25 calls for an accident report The proposals for amendments

1 to existing ATV law in Minnesota also, at least one House  
2 version, calls for an accident report

3 MS DAWSON At this point, you do not have  
4 accident reporting --

5 MR NORDELL For ATVs

6 MS DAWSON -- provisions?

7 MR NORDELL Right We have it for snowmobiles,  
8 but we do not have it for ATVs

9 There was quite a body of proposed law change in the  
10 past session of legislature The legislature was unable to  
11 take action on that legislation So it's the anticipation  
12 the lobbyists will probably introduce that legislation in a  
13 very similar form in February And that would probably give  
14 Minnesota a full-blown ATV program, which would allow our  
15 agency to develop better regulations Right now there is  
16 very little regulation But the intent would be to have it  
17 very similar to snowmobile legislation

18 MS DAWSON Is there a Minnesota ATV association  
19 similar to the one in Wisconsin, Mr Baxter's --

20 MR NORDELL Minnesota Three Wheeler Association  
21 is the name

22 MS DAWSON I see And you have a working  
23 relationship with that agency?

24 MR NORDELL Yes, they have been quite active in  
25 the lobbying effort And our agency's role is simply to

1 review proposals, make suggestions It is primarily their  
2 advocacy position in terms of developing legislation

3 MS DAWSON Have you -- well, I guess I already  
4 asked you about the extension service Do 4-H clubs show any  
5 interest in the training aspect or safety programs?

6 MR NORDELL That really would be part of the  
7 National Safety Council, to my understanding, its use on  
8 private land And our agency is really limited to what can  
9 be done on land under our jurisdiction

10 And one of the big areas is this roadside use That  
11 is -- there is no provision for that in law, and much ATV use  
12 occurs in Minnesota in that particular area And there is  
13 sentiment for having some sort of accommodations similar to  
14 that of snowmobile use in ditches, which was worked out over  
15 a 15- or 20-year period

16 That's one of the points of need Now I have the  
17 machine, where can I ride them? Our forest land is in the  
18 northern third of the state, and the population is one big  
19 center in the east central part of the state So there is a  
20 difficulty there And that raises a great variety of  
21 dilemmas

22 MS DAWSON What, if any, involvement do you see  
23 is appropriate for this Commission to take in terms of ATV  
24 safety?

25 MR NORDELL I don't know I suppose encouraging

1     these programs, safety programs, wherever possible,  
2     encouraging that helmet provision     Much of what has been  
3     addressed today in terms of safety     That was the number one  
4     issue in Minnesota, safety     And then after that, where do I  
5     operate these vehicles?

6             MS   DAWSON     Which is, obviously, a local or state  
7     concern, something in which we have no federal involvement

8             Let me ask Mr   Peterson and Mr   Schulz and Mr   Sanders  
9     that question     Where do they see this Commission becoming  
10    involved in the overall effort to provide instruction and  
11    information?

12            Mr   Sanders?

13            MR   SANDERS     Well, I think one of the key issues  
14    is that the CPSC has brought this problem out in the light  
15    I don't agree with one of the commissioner's way of doing it  
16    He has definitely hurt businesses in this country     But in  
17    the end, if the end result is that people are -- fewer people  
18    are getting hurt and killed, you know, that's definitely, I  
19    think, all of our goal     The only way to do that is through  
20    the training

21            The design of these vehicles has changed and changed,  
22    and other products have changed     But if we don't train  
23    people how to ride them -- and I think Mr   Scanlon was right  
24    I think the SVIA is doing a tremendous job, but they are  
25    having a lot of problems in certain parts of the country

1 getting people to want to become instructors There has to  
2 be an incentive for people other than dealers, you know We  
3 can't train everybody We can't -- you know, we just can't  
4 do it all But the SVIA does have the capacity to go into  
5 some areas of the country

6 I know one of the courses that I took, we took in  
7 Springfield, Tennessee And we had a boy from some northern  
8 part of Alaska that came down and took the course with us  
9 He had some problems in the 90 degree heat, but he is now a  
10 certified instructor He is going to become a chief  
11 instructor

12 But I assure you, the problem of accidents does not  
13 happen overnight, and this thing is not going to be solved  
14 overnight We have to maintain the quality of the  
15 instruction, and it's going to take time You know, I hate  
16 to say that because, you know, we are very lucky with the few  
17 instances We maintain a good safety record But we have a  
18 place at our dealership that we can show people how to ride,  
19 even prior to the safety films

20 You know, any information that the CPSC can get out to  
21 the public without a negative connotation I think is needed  
22 But we definitely don't need, you know -- Mr Statler, of  
23 course, is who I'm talking about We don't need his approach  
24 toward this problem He has devastated a lot of dealers in  
25 this country

1 MS DAWSON Mr Peterson, do you have anything to  
2 add to that?

3 MR PETERSON No I think that the position of  
4 the CPSC, if perhaps they could continue some sort of  
5 monitoring of the various states -- because I think that the  
6 real action will happen on the state level and local levels  
7 But we need to probably have some sort of prodding, perhaps,  
8 from the CPSC or another federal agency concerning minimum  
9 standards

10 I think strong, strong recommendations and perhaps  
11 some type of legislation on safety equipment, particularly  
12 the helmet, and also the opening of trail systems and, again,  
13 education, riding education, I think those three particular  
14 things will help more in regards to safety perhaps than  
15 anything else we can do

16 We just need to get going It has taken a long time  
17 in Wisconsin There has been a fight The WATVA and Jim  
18 Baxter's group has worked real hard for years to bring about  
19 the recent legislation And now we just have to build on it,  
20 continue to build on that

21 MS DAWSON I agree that it is a shared concern,  
22 and this will not happen overnight

23 Mr Schulz, do you want to comment?

24 MR SCHULZ Yeah I just go along with the other  
25 fellows The CPSC has probably speeded up the process here,

1 as far as maybe putting more pressure on manufacturers, on  
2 local and state Possibly the legislation that we have that  
3 has finally passed, which Mr Baxter has been working on, I  
4 know, for many years here now

5 And I think that the CPSC has made their point There  
6 is a public awareness I think now it is time for just  
7 allowing this to happen I think it's going to happen quite  
8 readily as far as the safety aspect and trying to get  
9 training programs

10 As far as doing it at a dealership level, I do not  
11 think that we are in a position really to have a training  
12 program right at our specific level A lot of dealerships  
13 are in the city, in the metropolitan areas They do not have  
14 an area to train a person And you are talking -- of course,  
15 they are talking about four hours to four days of training  
16 And I don't think that a dealer would be in a position, or  
17 should be, to put on that type of program just on every  
18 delivery If we sell a motorcycle, there is a certain  
19 requirement of licensing that the person has to have prior to  
20 coming in It could be the same thing with an ATV They  
21 should have passed a certified course

22 MS DAWSON You're saying before they even go to  
23 purchase their own?

24 MR SCHULZ Well, possibly There's just -- at a  
25 dealership level, there would be no way that we could spend

1 the time with each customer to, you know, run through  
2 everything that possibly -- we do have a safety tape and so  
3 on, but there is a limit to what we can do at a dealership  
4 level Where if they can go to an organized training program  
5 -- we are working with, in the motorcycle safety, the  
6 manufacturer that I sell for They supply motorcycles to --  
7 we do it through law enforcement officers who are certified  
8 instructors That's their business, and they know what  
9 they're doing And they are getting across to people the way  
10 it should be And I think that's the same approach that  
11 should be done with certified instructors on ATV safety  
12 courses

13 MS DAWSON Thank you, Mr Schulz

14 And I want to thank everybody on the panel for their  
15 input this afternoon

16 MR SCANLON Thank you, Commissioner Dawson

17 Dr DeFiore?

18 MR DeFIORE Mr Steier, your comments earlier on,  
19 you indicated that you thought that false advertising was  
20 involved in the promotion of ATVs Can you be more specific,  
21 give us some examples of what you meant by that?

22 MR STEIER Well, I have seen them advertised on  
23 TV And they go through creeks, hills that are full of rocks  
24 and whatnot And they seem to advertise them as they won't  
25 tip over or become damaged Like the machine I had, well,

1 the bearing was damaged and froze and caused an accident  
2 And that's where I think they are coming across wrong, by  
3 showing that

4 MR DeFIORE You think they are being advertised  
5 that they can do more than they actually do in practice?

6 MR STEIER Yes

7 MR DeFIORE Mr Peterson, you indicated in your  
8 testimony that they are being used for some things they  
9 shouldn't be used for Can you give me some examples, what  
10 you had in mind when you mentioned that?

11 MR PETERSON Well, I think you go back to the  
12 seat issue The primary thing that I think is causing some  
13 problems that I have seen happening to people using them is  
14 the multiple passengers The brands that we sell are all  
15 marked Operator Only, No Passengers And yet when they come  
16 into the dealership in a family, I'll be talking with a  
17 parent, and all of a sudden we hear, "Mommy, Daddy, look,"  
18 and there is four kids lined up on the seat

19 Well, they are not intended to be used that way It  
20 says don't use them that way, and we reiterate that to the  
21 customers And yet people will go ahead and load them down  
22 And we will have adults asking questions, you know, "Can I  
23 put Mom and the kids on here?" Things like that

24 And so I think that people perhaps don't heed the  
25 warnings Perhaps they are not forceful enough on the

1 machine, just being written on it But I think it is mainly  
2 through multiple passengers on a vehicle that is obviously  
3 designed for just one

4 I think sometimes they try and use them to pull things  
5 perhaps that they shouldn't They are real willing to work  
6 and do a pretty good job, but I think they can overload them  
7 and perhaps run into safety problems in that area also

8 MR DeFIORE Thank you

9 I have no further questions, Mr Chairman

10 MR SCANLON Thank you, Dr DeFlore

11 I want to thank this panel, each of you, for coming to  
12 Milwaukee You have a very excellent presentation

13 This will conclude this fourth public hearing  
14 conducted by the Consumer Product Safety Commission I would  
15 like to, on behalf of the entire Commission, thank all of the  
16 witnesses who have come here today

17 I wanted to thank our Midwestern Regional Office in  
18 Chicago, Vic Petralia and John Vece, and especially Sandy  
19 Glazier from our Milwaukee field office staff

20 We would like to thank the staff of the Performing  
21 Arts Center for this very excellent facility, the City of  
22 Milwaukee for its hospitality, and a very special thanks to  
23 Senator Kasten for his very excellent testimony this morning

24 Thank you

25 (Hearing adjourned at 4 47 p m )

1 STATE OF WISCONSIN )

2 ) SS

3 MILWAUKEE COUNTY )

4  
5 I, Andrea Pieterick, a court reporter associated  
6 with Richard E Peppey Reporting Company, with offices at 611  
7 East Wisconsin Avenue, Milwaukee, Wisconsin, do hereby  
8 certify that I reported the foregoing proceedings at the time  
9 and place specified in the title page of said transcript, and  
10 that the foregoing is a full, true and correct transcript of  
11 my stenographic notes thereof

12 Signed at Milwaukee, Wisconsin, this 13<sup>th</sup> day of  
13 September, 1985

14  
15  
16  
17 Andrea Pieterick  
18 Court Reporter  
19  
20  
21  
22  
23  
24  
25



NORTH DAKOTA  
STATE DEPARTMENT OF HEALTH

State Capitol  
Bismarck North Dakota 58505

PREVENTIVE HEALTH SECTION

August 27, 1985

John Vece  
230 South Dearborne Street  
Room 2944  
Chicago, Illinois 60604

Dear Mr Vece

We will meet with you in spirit in Milwaukee on September 3, 1985. The reality of budget limitations constrains us to testify in this manner instead of appearing in person. I have enclosed two bar graphs along with this letter detailing what we have observed since March 24, 1985 in North Dakota in relation to injuries associated with all terrain vehicles (ATV). As indicated on the title of each graph, this information covers the period from March 24, through August 22, 1985. The vast majority of the injuries occurred on Saturday and Sunday. We observed three distinct peaks in injury occurrence. The first peak occurred about mid-April during spring vacation, at which time there was unseasonably warm weather which no doubt proved conducive to ATV use. The second peak occurred during Memorial Day week and the third distinct peak was noted the week of July 4th. Fifty-four of the 106 injuries reported occurred in those aged 14 and younger. We noted two deaths, they occurred in the 5-9 age group and these victims were ages 6 and 7. The former was male, the latter a female riding a four-wheeler. In both cases the vehicles overturned and death was due to chest and head injuries. Of the 106 injuries reported, 89 occurred to males and 17 occurred to females. Those injured have lost over 800 days from effectively participating in their usual occupation or activity and those hospitalized spent an average of three days, ranging from one day to ten days, each in the hospital. The economics associated with such time losses are impressive.

The Specialty Vehicle Institute of America has estimated that we have approximately 13,600 ATV's in operation in North Dakota at the present time. Figuring conservatively, we estimate there to be 30,000 riders in North Dakota, our state population is estimated this year to be 680,000. Using these figures, our calculated attack rates are as follows: 106 injuries divided by 13,600 vehicles times 1,000 equals 7.8 injuries per 1,000 vehicles in operation, 106 injuries divided by 30,000 riders times 100,000 population equals 353 injuries per 100,000 population.

With the encouragement and urging of our State Health Officer, Dr. Robert Wentz, we convened an ATV Task Force to discuss what we knew at present and to plan together to intervene and prevent these injuries from continuing to occur. Representatives from the Division of Maternal and Child Health, the Division of Disease Control, the North Dakota Department of Parks and Recreation, the North Dakota Highway Department, the North Dakota Safety Council, North Dakota Highway Patrol, North Dakota Academy of Pediatricians, North Dakota Academy of Health Practitioners, and the Division of Research,

Mr John Vece  
Chicago, Illinois

Information and Support of the North Dakota State Health Department all were present at this first meeting Topics discussed at this first meeting included

- 1) the ATV related injury problem,
- 2) the North Dakota Statute governing ATV operation, registration, etc , and discussion of its effectiveness and problems regarding its implementation,
- 3) the need for cooperation in prevention efforts on the part of health officials, the public and the ATV dealers,
- 4) and the training course that is being developed to properly train those wishing to use ATV's The assembled task force unanimously agreed to author a press release addressing, and in particular affirming, helmet use and discouraging use by operators younger than age 12

On August 1, 1985 a subgroup of this task force met to discuss procedures for developing audio visuals (public service announcements, brochures, and videos) for use in promoting ATV safety and discouraging abuse of these machines

Our third and most recent meeting took place on 8-19-85 In addition to the original members present were representatives from the North Dakota Motor Cycle Dealers Association, who, in North Dakota, are the ones primarily responsible for dealing and selling ATV's to the public They pledged their full cooperation in promoting safety and striving to prevent ATV related injuries from occurring We discussed using brochures and videos published by ATV manufacturers and by the Specialty Vehicle Institute of America We are now in the process of examining these materials to ensure their suitability in presenting the points we think are most important Also discussed at this meeting was the impact of insurance policies covering ATV's and the potential impact this concern could have on ATV use It was suggested that we work with the elementary and secondary schools to target the under 14 age group in terms of stressing safety and prevention in the use of ATV's We adjourned this meeting pledging continued cooperation and dialogue and reiterating the belief that prevention is possible

In an effort to conserve resources and to use to the best advantage the limited dollars we have available for public health, we are committing ourselves to work together within the Department of Health and other governmental agencies and with the ATV dealers in North Dakota to promote safe usage, to prevent ATV abuse and to emphasize positively what can be done to prevent ATV associated injuries Our recommendation from the State Department of Health is that children under 12 should not be encouraged to ride, as operator or passenger, on ATV's Helmet use should be encouraged or required, moderate speeds should be employed, per ability and terrain, and appropriate safety courses should be endorsed and required for all operators Because these vehicles are very useful in agriculture, whether it be farming or ranching, we do not believe that a mandatory recall of all vehicles is at this point advisable Rather, the theme of safe usage should be reiterated and improvements in vehicle design should be made where possible

Mr John Vece  
Chicago, Illinois

Please forward the results of your commission hearings to our office for review of the various points presented Thanks for this opportunity to contribute

Sincerely,

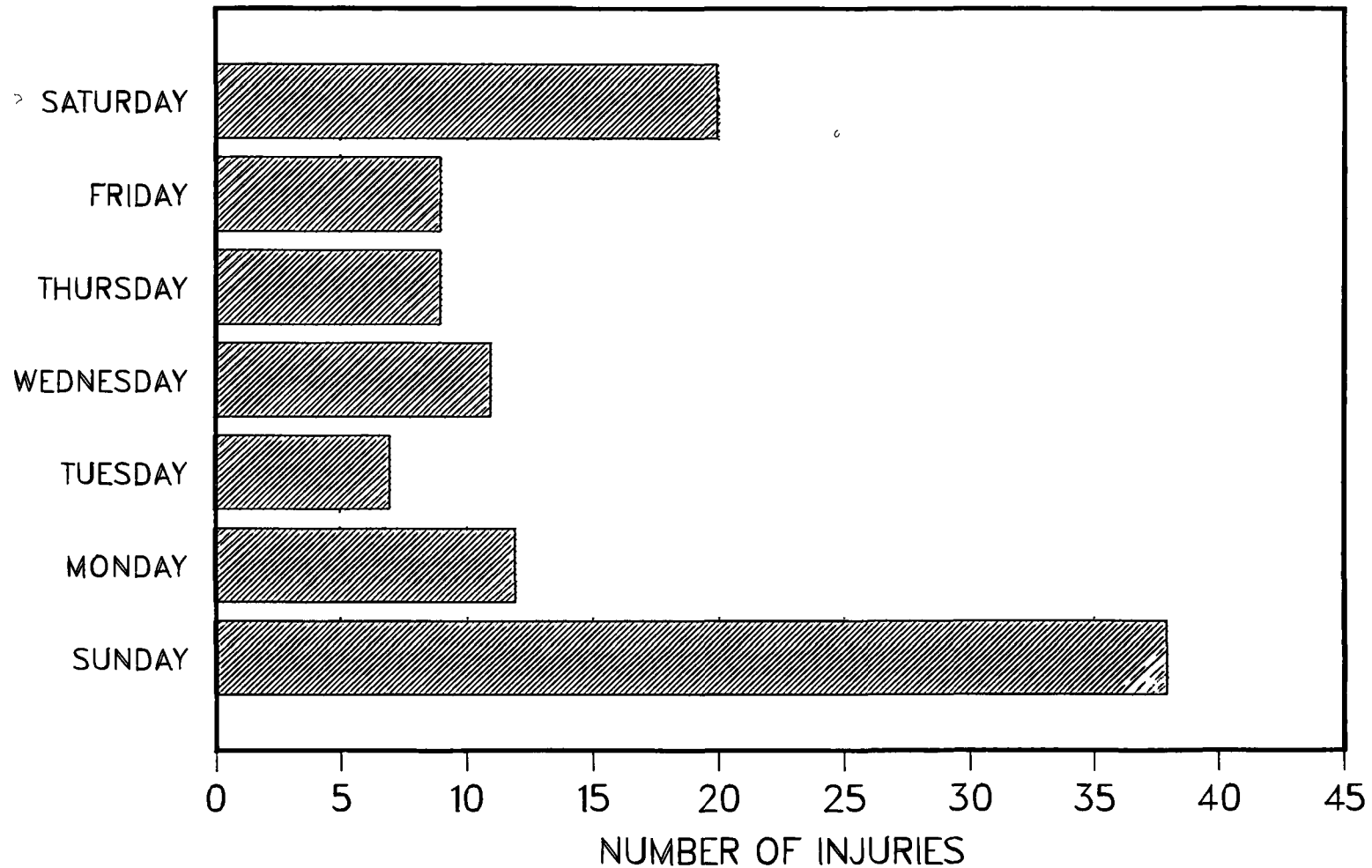


Mark R Kinde  
Epidemiologist  
Injury Program Manager

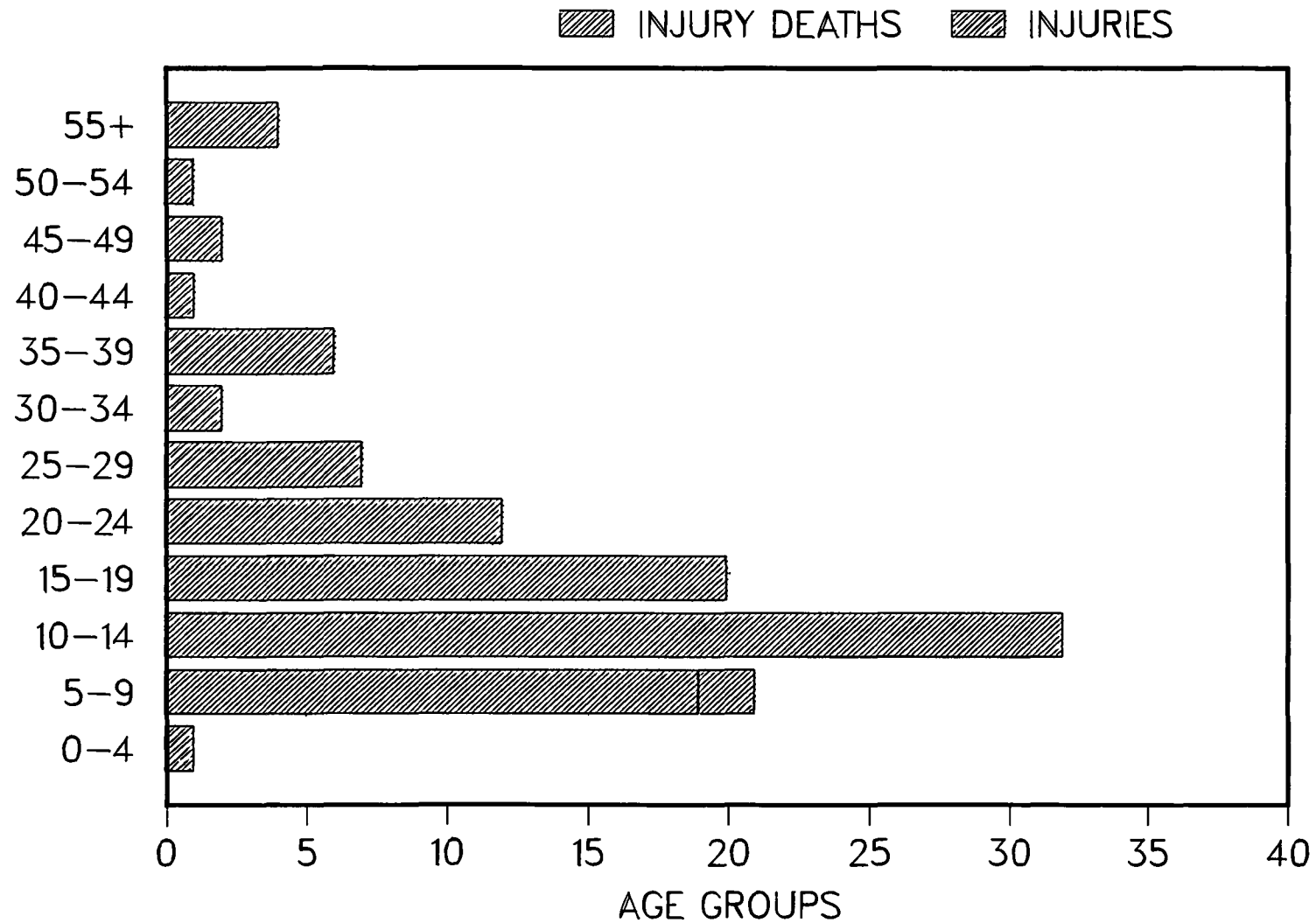
MRK cz

Enclosures

NORTH DAKOTA STATE DEPARTMENT OF HEALTH — DIVISION OF DISEASE CONTROL  
INJURIES ASSOCIATED WITH ATV'S IN 1985, IN NORTH DAKOTA  
BY DAY OF WEEK INJURY OCCURRED  
AUGUST 22, 1985



NORTH DAKOTA STATE DEPARTMENT OF HEALTH — DIVISION OF DISEASE CONTROL  
INJURIES ASSOCIATED WITH ATV'S IN NORTH DAKOTA, MARCH 24 — AUGUST 22, 1985  
BY AGE GROUP



Dear Sir,

Concerning Product Safety of ATC's,  
I have from first hand experience  
worked on and ridden the ATC's for  
more than 10 years and have found them  
to be as safe as the operator or rider.

I am a strong believer in ATC Rider  
education and most importantly against  
mixing ATC's, Alcohol and Drugs.

Respectfully Yours

David S Francisco  
Wauconda, Ill

60084

I've owned a few Howler  
3 wheelers in the past 4 years.

I and my friends have had  
A Great amount of fun and  
Enjoyment Riding them.

With minimal instruction, and  
A little care no one has been  
hurt.

Any thing can be dangerous  
if not used properly.

~~Steve Kostelnik~~

STEVE Kostelnik  
127 Windsor Dr  
Vernon Hills, IL 60061

I own Two Honda  
3 wheelers and have  
been riding them  
for years. And have  
raced them in the  
past. And I think  
that they are very safe  
But like any thing  
else they are as  
Dangerous as you make  
them. Buy Being Careless.  
Clayton May, Mundelein Ill 60060

"Ed. 4. 22 11 52"

6: 10 -

CONSUMER PRODUCT  
SAFETY COMMISSION  
MIDWESTERN REGION

SEP 4 8 59 AM '85

# POLARIS

Polaris Industries Inc

Roseau Minnesota 56751  
218 463 2312

August 19, 1985

Mr Sheldon Bretts  
Assistant Secretary  
Consumer Product Safety Commission  
Office of the Secretary  
Washington, D C 20207

Dear Mr Bretts

I appreciate very much the personal call we received from Mr Vece of your Chicago Office inviting us to participate in the upcoming public hearings relating to ATV safety

We would appreciate you entering this letter as our testimony at one of your upcoming meetings

As you probably are aware, Polaris has recently entered the ATV market (May, 1985)

Polaris did attend the CPSC meeting relating to ATV safety last October, at which we learned of the many concerns expressed both by the CPSC and the four Japanese manufacturers of ATV's. Because of limited exposure to the market as yet, we really can not provide any new data. Our opinion is that these vehicles are very safe as a rule, although certain of the users ignore the risks and still others encourage unskilled or inexperienced usage. The remaining dilemma is difficult. While it is unconscionable to encourage products that injure unsuspecting users, how does one support a wholesome recreational or utility usage?

We think better education could help, as the industry has suggested, as well as increasing the stability and controllability of ATV's used by children. We believe adults are mature enough to accept the responsibility of their actions and we, the manufacturers, must accept the responsibility of providing the means for an adult to learn to avoid potential risks associated with the use of our products. Of course, our products must be reasonably designed so as not to induce accidents easily.

Consumer Product Safety Commission  
Page Two  
August 19 1985

We would like to assure you that we are most willing to cooperate with the CPSC to better solve the safety dilemma in any way we can. Please let us know how we can help.

Sincerely,

POLARIS INDUSTRIES, INC

A handwritten signature in black ink, appearing to read "Charles A. Baxter". The signature is fluid and cursive, with a large initial "C" and "B".

Charles A. Baxter  
Vice President of Engineering

/p

A T V   R O A D - R E L A T E D   A C C I D E N T S

Source   Minnesota Department of Public Safety (MN/DPS)  
August 14, 1985

Reporting Period   January through mid-June, 1985

1   FATALITIES = 0

2   TOTAL ACCIDENTS = 36

a   Reported with drinking or intoxicated drivers = 11  
     (24 percent total)

b   Type of accident = primarily as a result of being ejected from  
     vehicle

3   TOTAL INJURIES = 46

a   Degree   30 severe   (21 = no helmet, 5 = using helmet, 4 = unknown)  
             15 moderate (10 = no helmet, 3 = using helmet, 2 = unknown)  
             1 minor     ( 1 = unknown)  
             46 total

b   Gender    7 female  
             39 male  
             46 total

c   Helmet Status   8 using helmets  
                     31 no helmets  
                     7 unknown  
                     46 total

d   Age Category   0 - 4 = 1  
                     5 - 9 = 2  
                     10 - 14 = 12  
                     15 - 19 = 11  
                     20 - 24 = 10  
                     25 - 29 = 5  
                     30 - 34 = 1  
                     35 - 39 = 0  
                     40 - 44 = 2  
                     45 - 49 = 2  
                                 46 total

e   Seasonality   January = 4  
                     February = 3  
                     March = 9  
                     April = 5  
                     May = 17  
                     June = 8 (so far reported)  
                                 46 total

FINAL REPORT

THREE-WHEELED OFF-ROAD VEHICLE  
GASOLINE CONSUMPTION IN MINNESOTA

Prepared for

MINNESOTA DEPARTMENT OF NATURAL RESOURCES  
500 Lafayette Road  
St Paul, Minnesota 55101

Prepared by

ENVIRONMENTAL RESOURCES MANAGMENT-NORTH CENTRAL  
Suite 225  
2626 82nd Street  
Bloomington, Minnesota 55420  
(612) 854-7560

January , 1985

## TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
INTRODUCTION	1
Purpose	1
Perspective	1
METHODOLOGY	2
Sampling Methods	2
Telephone Survey	2
Mailed Survey	3
Computer Analysis	4
Response Rates	4
RESULTS	6
Qualification of Vehicles	6
Vehicle Ownership	6
Average and Median Ownership	6
Total Number of Vehicles in Minnesota	7
Number of Days Used	7
Number of Days Used for Recreation	8
Gasoline Consumption	8
Total Gasoline Consumption for Recreation	10
Seasonal Use	11
Forecasted Minnesota Ownership and Recreational Use	12
APPENDIX A - Questionnaires	A-1

# LIST OF TABLES

<u>Table</u>	<u>Page</u>
1 Number of Vehicles Owned	6
2 Annual and Seasonal Estimates of Total Use	8
3 Annual and Seasonal Estimates of Recreational Use	9
4 Annual and Seasonal Estimates of Gasoline Consumption	9
5 Annual and Seasonal Estimates of Gasoline Consumption for Recreational Use	10
6 Gasoline Consumption for Recreational Use	11
7 Seasonal Use of Three-Wheeled Vehicles	11
8 Rate of Increase in the Wholesale Shipments to Dealers in Minnesota	12
9 Annual and Seasonal Estimates of Gasoline Consumption for Recreational Use in 1987	13

## LIST OF FIGURES

<u>Figure</u>	<u>Page</u>
1 Cumulative Response Rate by Day	5

## INTRODUCTION

### PURPOSE

The purpose of this study is to determine the level of gasoline consumption by three-wheeled, off-road vehicles in the State of Minnesota. The study results will be used by the Departments of Natural Resources, Revenue and Transportation to determine the level of gasoline tax revenues attributable to the use of these vehicles for recreation and business.

Both a telephone and a mailed survey were used to determine the level of use of these vehicles for this study. An important objective of this study was to distinguish between the total gallons of gasoline consumed by these vehicles in the state and that proportion directly attributable to recreational use.

### PERSPECTIVE

The definition of a three-wheeled, off-road vehicle is clearly established by Laws of Minnesota, 1984

a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds

These vehicles are designed to carry a single rider/driver without provision for passengers.

Specific objectives of the study include

- 1 The number of Minnesota households owning one or more vehicle
- 2 The average and median number of vehicles owned by households with one or more vehicle
- 3 The total number of vehicles in Minnesota
- 4 The total number of days that each vehicle is used for any purpose
- 5 The proportion of these days that are primarily recreational in nature
- 6 The amount of gasoline consumed by vehicles in the course of recreational outings
- 7 The total annual consumption of gasoline for recreational purposes
- 8 Forecast future Minnesota ownership and recreational use of these vehicles

In order to accomplish these objectives, two surveys were conducted. The first was a general population telephone survey of Minnesota households to determine the number of households with these vehicles. The second was a mailed survey to individuals who had purchased a vehicle within the last eighteen months. The specific methodology and results of these surveys are presented in the remainder of this brief report.

## METHODOLOGY

### SAMPLING METHODS

#### Telephone Survey

A general population telephone survey provided the basis for estimating the total number of Minnesota households owning three-wheeled off-road vehicles. The experimental design included a random sample with replacement. That is, a sample of 500 was drawn from all households served by telephones in the state.

The 500 sample size was based on a statistical distribution with a median and mode of one and a mean less than one. Data from industry sources indicated that approximately five percent of all Minnesota households own such a vehicle. Further, industry statistics indicated that the median number of vehicles per household was one. Using these data and assumptions, a sample size of 500 provides an acceptable standard error of the estimate.

Each of the 93 telephone companies operating in the State were contacted to obtain

- o number of operating telephone exchanges,
- o assigned 3-digit prefixes to each exchange,
- o number of Minnesota residential stations assigned within each exchange, and
- o area code

Business and non-Minnesota households were excluded from this compilation. This method documented 1,409,492 working residential stations in November, 1984 in Minnesota. Known prefixes assigned exclusively to business and governmental listings were excluded from the compilation.

To draw the sample, the working exchanges were listed in a table which included the total number of residences in each exchange and the cumulative total of all exchanges. Using a random start and an equal interval, the exchanges to receive calls were selected. The operating prefix and the last four digits of the telephone number were selected from computer generated random numbers tables.

Working telephone numbers identified by the above method were called at least three times at different hours of the day. Numbers without an answering party were replaced after the third attempt. Business, government offices and non-working numbers were likewise replaced.

This methodology gave each household in Minnesota with telephone service an equal opportunity of being selected. Since exchanges have specific geographical boundaries, the resulting sample was distributed over the State in approximate proportion to the population.

A copy of the questionnaire for the telephone survey is contained in the end pocket.

## Mailed Survey

In order to determine the use patterns of the three-wheeled vehicles, a survey was mailed to 1000 individuals who recently purchased a vehicle. The mailed survey permitted detailed questions concerning the number of days that the vehicles were used, the proportion of those days that were for recreational purposes, and the amount of gasoline consumed in the last 12 months.

The sample was drawn from a list of owners in the State that is maintained by the Specialty Vehicle Institute of America (SVIA) in Costa Mesa, California. Their list comes from the warrantee registrations of the four largest manufacturers. Those four account for approximately 96 percent of all three-wheeled vehicles marketed in the United States. The sample was drawn by the SVIA using the specifications of the Minnesota DNR and the contractor.

Unfortunately, the SVIA list included all vehicles defined by the major manufacturers as off-road. Therefore, the list included the three- and four-wheeled vehicle of interest to this study, as well as two-wheeled vehicles (motorcycles) that cannot be licensed for street use. The staff of the SVIA estimated that approximately 20 percent of the list included owners of these two-wheeled vehicles.

Further, the list includes only those individuals who purchased the vehicle within the last 18 months and is arranged in Zip Code order. Accordingly, the initial selection of approximately 1550 names and addresses was made using a random start and an equal interval. In order to reduce the 1550 names to 1000, a further sample was drawn by the contractor, again using a random start and an equal interval.

Each individual selected received a cover letter, questionnaire, and stamped return envelope. Each letter was individually typed on bond paper and individually signed. The questionnaires were sequentially numbered to assure that respondents were not sent a follow-up letter. Response management was conducted on a computer-based mailing system. Two weeks after the original survey package was mailed, a follow-up letter was sent to individuals who had not yet returned their questionnaire.

Replacements were made for two conditions. The first was for undeliverable survey packages resulting from the individual moving or an inaccurate address. We also replaced surveys which were returned indicating that the household did not own a three-wheeled vehicle. These replacements were made one week and two weeks after the initial survey mailing. The new names were drawn from the remaining addresses nearest to that being replaced by alternating left or right on the list. The reason for using this method was to assure, insofar as possible, that the replacement was also located within the same zip code.

A copy of the questionnaire for the mailed survey is contained in the end pocket.

## COMPUTER ANALYSIS

The completed surveys were edited, then coded onto a microcomputer. Those data files were then edited and transmitted to a main-frame computer. The results were analyzed using SPSS as maintained by the University of Minnesota computer Center.

## RESPONSE RATES

A total of 500 telephone surveys were completed. In the process of administering the survey, 103 individuals refused to participate. The methodology included calling numbers at random. During administration of the survey, it became apparent that a majority of the refusals were actually businesses that were called. Of the 500 households interviewed, 22 indicated that they owned a three-wheeled vehicle. Four of the 22 owners indicated that they did not use their vehicle for recreation.

The final results of the mailed survey were that 16 surveys were ultimately undeliverable and not replaced, while 49 individuals did not own a three-wheeled vehicle. Additionally, 567 individuals returned a completed questionnaire. Therefore, the effective response rate was 60.6 percent. Four individuals refused to complete the questionnaire.

Figure 1 presents the response rate by day.

In our professional judgement, the effective response rate of 60.6 percent provides a valid estimate of the parameters measured by the survey. Had there been time for a third follow-up, we believe that the response rate would exceed 67 percent.

PERCENT										Day
0	1	2	3	4	5	6	7	8	9	
24680	24680	24680	24680	24680	24680	24680	24680	24680	24680	
-----										
****										331
*****										332
*****										333
*****										334
*****										335
*****										338
*****										339
*****										340
*****										341
*****										342
*****										345
*****										346
*****										347
*****										348
*****										349
*****										352
*****										353
*****										354
*****										355
*****										356
*****										359
*****										361
*****										362
*****										363
*****										366
*****										368
*****										369
*****										370
*****										373
*****										374
*****										375

Figure 1 Cumulative Response Rate by Day

## RESULTS

### QUALIFICATION OF VEHICLES

Throughout both the mailed and the telephone surveys care was extended to assure that respondents were addressing three-wheeled off-road vehicles as defined in the legislation. The respondent was asked to list the number of wheels, engine size, weight and the volume of the gasoline tank. Before coding responses, each vehicle listed was reviewed to assure conformance to the legal definition. Those cases where large vehicles were listed were eliminated from consideration. We are confident that the results of this study do indeed include only qualified vehicles.

### VEHICLE OWNERSHIP

The telephone survey provides the estimate of the number of households in Minnesota that own three-wheeled off-road vehicles. As indicated previously, 22 of 500 households contacted owned one of these vehicles. The State Demographers office provided estimates of the number of households in Minnesota for 1983 and 1985. The 1985 estimates included a low and a high estimate.

The telephone survey indicated that 4.2 percent of the households in Minnesota own a three-wheeled off-road vehicle. In 1983 there were an estimated 1,508,382 households in Minnesota. The 1985 projected number of households is 1,595,800 (low) and 1,634,400 (high). By interpolating for 1984, the estimated number of households with these vehicles is 68,292 (low) and 69,141 (high). The standard error is 0.0092.

### AVERAGE AND MEDIAN OWNERSHIP

The estimate of the average and median ownership in Minnesota is available from the results of the mailed survey. Table 1 presents the number of vehicles owned for each household.

TABLE 1  
Number of Vehicles Owned

<u>Number</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
1	417	73.5	73.5
2	119	21.0	94.5
3	23	4.1	98.6
4	7	1.2	99.8
6	1	0.2	100.0
Total	567		
	6		

Table 1 indicates that the average number of vehicles owned by household with one or more vehicles is 1.34 and the median number is one. The standard error is 0.027.

#### TOTAL NUMBER OF VEHICLES IN MINNESOTA

The number of households with one or more vehicles and the average number of vehicles per household have already been calculated. By combining these estimates, the total number of vehicles in Minnesota can be derived. For these calculations, we will use both the low and high estimate of households in Minnesota as interpolated from the State Demographer's projections.

The low estimate of households with one or more vehicle is 68,292. With 1.34 vehicles per household and a standard error of 0.027, there is an estimated 91,511 plus or minus 2,470 vehicles in the state. The high estimate of households provides an estimated 92,649 plus or minus 2,501 vehicles.

The difference between the high and low estimates of households as provided by the State Demographer is 1,138 vehicles. For simplicity of further computations, we believe that it is logical to take a middle point between these two values. Therefore, our estimate of the number of vehicles in the state is equal to 92,000 plus or minus 2,484 (89,516 to 94,484).

#### NUMBER OF DAYS USED

The mailed survey also permits us to estimate total use of these vehicles. The questionnaire (Appendix A) contained two sets of questions on the number of days used. The first question asked the respondent the number of days that the vehicle was used in the last 12 months. The second question asked the respondent to break that use down by quarters. As expected, some respondents provided estimates that were not consistent.

Table 2 presents the number of days that the vehicles are used as derived from the two different questions. The table also separates those individuals who have owned the vehicle for less than one year from those that have owned their vehicle for more than one year. As expected, new owners have a higher mean number of days that the vehicle is used.

It is clear that keeping first-year owners separated is necessary to derive the most accurate estimate of use and gasoline consumption.

Note that the estimated total use of the vehicles is lower for the seasonal question. The requirement of using a twelve-month recall period is an inherent difficulty in this survey. The alternative, using a weekly or monthly recall period, requires conducting the survey over a one year period. That was not possible. Further, some respondents refused to provide the seasonal estimate. The seasonal use for 44 of the vehicles was not provided. This compares with 29 that provided not estimate for the annual question.

TABLE 2  
Annual and Seasonal Estimates of Total Use  
(Days)

<u>Estimate Source</u>	<u>Mean</u>	<u>Standard Error</u>
Annual question		
Owned <12 months	119 58	12 96
Owned >12 months	86 91	4 58
Weighted mean	99 36	7 77
Seasonal question		
Owned <12 months	106 47	11 55
Owned >12 months	79 86	4 49
Weighted mean	90 00	7 18

For further computations, we believe it is reasonable to use both of these weighted means, rounded to the nearest whole number (99 and 90 days). It is imperative to recall that this estimate applies only to vehicles that are used wholly or partially for recreation. Those vehicles that are used only for business or farm purposes are not included in these computations.

#### NUMBER OF DAYS USED FOR RECREATION

After providing the estimate of the total number of days that each vehicle was used, the respondent was asked to estimate the number of those days that were primarily recreational in nature. Again, it is important to recall that the following estimates apply only to those vehicles that are used at least partially for recreation.

Two estimates of the number of days used for recreation are available from the survey, annual and seasonal use were separately listed. Table 3 shows the annual and seasonal estimates of recreational use, as well as the proportion of total use that is primarily recreational in nature.

#### GASOLINE CONSUMPTION

The survey instrument also asked respondents to estimate both annual and seasonal use of gasoline for each vehicle. Again, the estimates of use vary, but not as much as the total days and recreation days of use. Table 4 presents both the total gallons used per vehicle and the average of the total used per vehicle.

TABLE 3  
Annual and Seasonal Estimates of Recreational Use  
(Days)

<u>Estimate</u> <u>Source</u>	<u>Mean</u>	<u>Standard</u> <u>Error</u>
Annual question		
Owned <12 months	91 91	10 22
Owned >12 months	65 10	3 73
Weighted mean	75 32	6 20
Seasonal question		
Owned <12 months	79 64	9 31
Owned >12 months	62 38	3 79
Weighted mean	68 96	5 89
Proportion		
Annual question		
Owned <12 months	93 24	13 87
Owned >12 months	81 92	1 86
Weighted mean	86 23	6 44
Seasonal question		
Owned <12 months	79 54	2 22
Owned >12 months	80 67	1 62
Weighted mean	80 24	1 85

TABLE 4  
Annual and Seasonal Estimates of Gasoline Consumption  
(Gallons)

<u>Estimate</u> <u>Source</u>	<u>Mean</u>	<u>Standard</u> <u>Error</u>
Total Consumption		
Annual question		
Owned <12 months	60 53	9 45
Owned >12 months	30 10	2 23
Weighted mean	41 70	4 98
Seasonal question		
Owned <12 months	53 49	7 17
Owned >12 months	29 15	2 28
Weighted mean	38 43	4 14
Average Consumption Per Day		
Annual question		
Owned <12 months	0 67	0 07
Owned >12 months	0 50	0 03
Weighted mean	0 56	0 04
Seasonal question		
Owned <12 months	0 73	0 08
Owned >12 months	0 49	0 03
Weighted mean	0 58	0 05

Note that the average total consumption is equal to the total consumption divided by the total days used. These computations were performed by the computer for each separate case.

The next step is to derive the proportion of these gasoline consumption estimates that are for recreational use only. This is done by multiplying each estimate of gasoline consumption by the proportion of recreational use. The results are shown in Table 5.

The table shows that there is a difference of 6 gallons per year per vehicle for the two different estimates. As a result, we feel that these two sets of questions provide reasonable, albeit different, estimates of gasoline consumption. When these values are interpreted within the overall context of the limitations imposed by the timing of the study, in our professional judgement they do provide an acceptable degree of accuracy.

TABLE 5  
Annual and Seasonal Estimates of Gasoline Consumption  
For Recreational Use  
(Gallons)

<u>Estimate Source</u>	<u>Mean</u>	<u>Standard Error</u>
Annual question		
Owned <12 months	56 44	23 27
Owned >12 months	24 66	4 09
Weighted mean	36 77	11 40
Seasonal question		
Owned <12 months	42 54	9 39
Owned >12 months	23 51	3 89
Weighted mean	30 76	5 99

#### TOTAL GASOLINE CONSUMPTION FOR RECREATION

Total gasoline consumption for recreation is derived in a two-step process. First, the number of vehicles in the state are multiplied by the percent that are used at least partially for recreation. Second, the number of vehicles used for recreation are multiplied by the average annual consumption of gasoline for recreational purposes.

The mailed survey indicated that 17.8 percent of all vehicle owners use it for business or farm use only. Accordingly, of the 92,000 households that own a three-wheeled off-road vehicle, only 75,624 are used for recreational purposes.

Given previous calculations that indicated gasoline consumption for all purposes was between 31 and 37 gallons/vehicle/year, the total gasoline consumption

tion for recreational purpose are shown in Table 6. Note that the computations of gasoline consumption are based only on those vehicles that are used at least partially for recreation.

Accordingly, in our professional judgement, the total number of gallons of gasoline that is consumed for recreational purposes by three-wheeled off-road vehicles is equal to 2,553,500 gallons annually.

TABLE 6  
Gasoline Consumption for Recreational Use  
(Gallons)

<u>Estimate Source</u>	<u>Average Gasoline Consumption</u>	<u>Number of Vehicles</u>	<u>Recreation Consumption</u>
Annual question	36 77	75,624	2,780,695
Seasonal question	30 76	75,624	2,326,194

#### SEASONAL USE

Finally, the survey documented that there is a marked seasonal pattern to recreational use of three-wheeled vehicles. Table 7 presents the seasonal pattern. Summer and fall are the most heavily used seasons.

TABLE 7  
Seasonal Use of Three-Wheeled Vehicles  
(Days)

<u>Season</u>	<u>Owned &lt;12 months</u>	<u>Owned &gt;12 months</u>	<u>Weighted Average</u>
Total Use			
Winter	7 71	15 59	12 59
Spring	12 79	18 32	16 21
Summer	19 72	24 41	22 62
Fall	15 16	19 27	17 70
Recreational Use			
Winter	6 24	13 39	10 66
Spring	9 03	14 39	11 73
Summer	15 50	19 48	17 96
Fall	11 42	15 12	13 71

## FORECASTED MINNESOTA OWNERSHIP AND RECREATIONAL USE

During the course of this study, we searched the literature and contacted knowledgeable researchers concerning trends in the ownership of three-wheeled off-road vehicles. We were unable to find a significant amount of literature beyond that already researched by the DNR and contained in their report "Off-Road Vehicle Use in Minnesota". Accordingly, there is very little information on which projections can be based.

The most useful data available came from the SVIA, which provided historical trends of sales in Minnesota. The percent growth (or decrease) in sales is shown in Table 7.

TABLE 8  
Rate of Increase in the Wholesale Shipments  
To Dealers in Minnesota

<u>Period</u>	<u>Percent Growth</u>
1980 - 1981	+84.5
1981 - 1982	+19.6
1982 - 1983	+36.2
1983 - 1984	-13.0

The table indicates that sales are falling off. The SVIA attributes this to the normal product sales growth curve. That is, as the market becomes saturated, sales decline. The decrease of 13 percent, as shown in Table 7, is attributed to the market nearing its saturation point. The SVIA stated that Minnesota experienced a more rapid increase in sales than most other states in the United States. Accordingly, national sales trends would not provide as accurate an estimate as Minnesota trends.

Consequently, we are left with little more than the 13 percent decline for 1984 and qualitative judgements based on the results of the survey, review of previous studies and the previously cited DNR study. It seems reasonable, then, to use the 13 percent decline in shipments and population growth as the basis for projecting recreational use of vehicles through 1987.

Consequently, assuming that shipments will continue to decline by 13 percent per year, there will be a projected 129,200 vehicles in the state by the end of 1987. When this is adjusted for the projected change in population, as supplied by the State Demographer's office, the projected number of vehicles increase to 130,200 by 1987. It is reasonable to take population growth into account since the increase represents additional market potential. When this is reduced to account for exclusive business and farm use, the total number of vehicles used for recreation in 1987 is projected to be 107,000.

Of the 107,000 vehicles projected to be used in 1987, only 8.2 percent of them will be held by new owners (12 months or less). Approximately 91.8 (98,100 vehicles) will have been owned for more than one year. Table 9 presents the effect that the shifting ownership pattern will have on the weighted mean of gasoline consumption. Note that the table is similar to Table 5, but with a different percentage of new and old owners.

TABLE 9  
Annual and Seasonal Estimates of Gasoline Consumption  
For Recreational Use in 1987  
(Gallons)

<u>Estimate Source</u>	<u>Mean</u>	<u>Percent</u>	<u>Standard Error</u>
Annual question			
Owned <12 months	56.44	8.2	23.27
Owned >12 months	24.66	91.8	4.09
Weighted mean	27.28		11.40
Seasonal question			
Owned <12 months	42.54	8.2	9.39
Owned >12 months	23.51	91.8	3.89
Weighted mean	25.08		5.99

The result is that the weighted average gasoline consumption decreases when a larger percent of the vehicles have been owned for more than one year. The pattern of recreational, business and farm use can logically be held constant over the next three years. Thus, the 25.1 and 27.3 gallons consumed per vehicle for recreation yields a total estimated recreational use consumption for 1987 of between 2.7 and 2.9 million gallons. In our professional judgement, the most probable gasoline consumption for 1987 will be 2.8 million gallons.

We believe that this estimate is realistic given the rapid expansion of the market for these vehicles within the last five years. It is apparent from industry records that there still is substantial market potential in the state, even though shipments and sales are slowing.



STATE OF  
**MINNESOTA**  
**DEPARTMENT OF NATURAL RESOURCES**

BOX 500 LAFAYETTE ROAD • ST PAUL MINNESOTA • 55146

DNR INFORMATION  
(612) 296 6157

July, 1985

OFF-ROAD VEHICLE (ORV) USE IN MINNESOTA

The issue of off-road vehicle recreation has become one of increasing importance in the past few years. Clear, concise information has not been available. It is for this purpose the Department of Natural Resources (DNR) has collected the information in this memorandum.

For the purposes of this discussion, an off-road vehicle, or "ORV" means any motorized vehicle, including trail bikes or related vehicles, hovercraft, or other motor vehicles which have been licensed for highway operation and are being used for off-road purposes. "ORV" generally does not include snowmobiles in Minnesota.

One form of ORV is the all-terrain vehicle (ATV). This vehicle is the same as defined in Minnesota Statutes 84.92, Subdivision 8, where it is called "three-wheel off-road vehicle". This vehicle is defined as "a motorized flotation-tired vehicle of not less than three low-pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds."

**OFF-ROAD VEHICLES**

Public Road Use ORVs (WITH THE EXCEPTION OF ATVS) can be driven on public roads only as registered, licensed vehicles. Since ORVs (with stock equipment) generally do not conform to federal motor vehicle safety standards, operation on public streets and highways is not recommended. Under 1985 Laws of Minnesota, Chapter 291, Section 2, ATVs can not be registered as a street-legal vehicle after July 1, 1985. In addition, the Attorney General does not consider the ATV to legally fit within the guidelines for slow-moving agricultural implements. Such exempt vehicles have no form of registration and must also have an orange triangular warning plate. Snowmobiles remain as the only non-agricultural vehicles permitted in public roadside ditches.

Public Forest Lands and Waters Certain forest lands permit ORV use. Some forests allow ORV use only on designated routes, while other forests may be either completely closed or closed only in areas where posted. Because of the uncertainty of which regulations apply, you can avoid expensive fines if you CHECK WITH LOCAL LAND OFFICIALS FIRST. Some of the phone numbers you may need are contained in this memorandum. Frozen lakes are generally open to ORVs. The exceptions would be those lakes restricted by local ordinances or by state law, such as lakes contained within the boundaries of state parks.

Prohibited Areas All ORVs are PROHIBITED from use in STATE PARKS, SCIENTIFIC AND NATURAL AREAS, WILDLIFE MANAGEMENT AREAS and STATE TRAILS. SNOWMOBILE TRAILS are OFF LIMITS to motor vehicles other than snowmobiles.

Equipment Requirements ORVs, other than ATVs, can be registered as motor vehicles for street-legal use. For inquiries about street-legal registration standards, contact

MN/Department of Public Safety (DPS)-State Patrol Division  
Transportation Building  
John Ireland Boulevard  
Saint Paul, Minnesota 55155-1679  
(612)/297-3938

License Requirements Any ORV which at any time operates on public roadways must be licensed unless it has been specifically exempted. Inquiries about license requirements can be directed to the

MN/DPS-Driver & Vehicle Services Division  
Transportation Building  
John Ireland Boulevard  
Saint Paul, Minnesota 55155-1679  
(612)/296-6911

Other ORV Questions All forms of designated public trail recreation are coordinated and in many instances funded through DNR trail programs. For general information on DNR regulations concerning OPVs, please contact

Paul Nordell, Recreation Research Specialist  
Trail Planning Section  
MN/DNR-Trails & Waterways Unit  
Box 52 - 500 Lafayette Road  
Saint Paul, Minnesota 55146  
(612)/296-6485

## ALL-TERRAIN VEHICLES

Registration Minnesota has specific statewide laws for ATVs. ATVs must be registered to operate on allowable public lands and waters after January 1, 1985 (see Minnesota Statutes 84 922). The primary exemption from this ATV registration is for use on private land. An ATV which is used at any time on allowable public lands and public waters (ice surfaces) requires a DNR registration.

This registration costs \$18.00 for a three-year period. Certain information is required for registering your ATV for off-road use on public lands. The following is needed:

- Name and address of all owners of the machine
- Make and serial number of vehicle

Off-road registration of ATVs after January 1, 1985 is very similar to that of snowmobile registration, which is through deputy registrars where you normally buy vehicle license plates. ATV registration is also available at the DNR license bureau.

MN/DNR-Bureau of Licenses  
Box 26 - 500 Lafayette Road  
Saint Paul, Minnesota 55146  
(612)/297-3274

The DNR registration decal for ATV's should be placed directly below and behind the driver's seat. The decal is to be mounted upon a plate which has been bracketed to the vehicle and is clearly visible.

Age Limitations Persons aged 13 and under can not operate an ATV on DNR administered lands and waters UNLESS ACCOMPANIED BY AN ADULT ON ANOTHER MACHINE. Industry and safety officials emphasize that ONLY ONE PERSON AT A TIME SHOULD BE PERMITTED ON ATVs. Persons aged 12 and above, however, CAN OPERATE ATVs WITH A VALID SAFETY CERTIFICATE.

Safety Training For information about the safety education courses for ATVers, or for questions concerning the use of ATVs in hunting, contact

Safety Training Coordinator  
MN/DNR-Division of Enforcement  
Box 47 - 500 Lafayette Road  
Saint Paul, Minnesota 55146  
(612)/296-0655

Legal Crossing of Roads The only circumstance in which an ATV may enter a public thoroughfare (other than a state forest road) is to make a direct crossing. Such a crossing may be made only as follows:

- The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing,
- The vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway,
- The driver yields the right of way to all oncoming traffic that constitutes an immediate hazard,
- In crossing a divided highway, the crossing is made only at an intersection of the highway with another public street or highway, and
- If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

#### OFF-ROAD VEHICLE AND ALL-TERRAIN VEHICLE USE AREAS

Registry of Trails A statewide listing of off-road trails does not exist. Present policy allows these vehicles on state forest roads and forest trails during the non-snow months of the year, unless these roads or trails are specifically posted to prohibit such use. However, roads (state, county or township) through these areas are illegal for roadside

travel by ATVs and other non-street-legal vehicles. Because forest road and trail conditions may change frequently as a result of wet conditions or fire dangers, ORV operators should contact Area Foresters for more specific information before leaving home.

Using the State Forestry Contact List To most easily use the enclosed DNR forestry contacts, you may want to locate on a map the state forests you are most interested in. You may then determine the appropriate forestry district on the enclosed map and then find the necessary forestry office on the statewide listing of forestry contacts.

Forestry Area Offices can be reached by phone anytime between 8 00 A M and 4 30 P M, Monday through Friday. Forestry District Offices are open from 8 00 A M to 4 30 P M, but the best time to phone these offices is 8 00-8 30 A M and 4 00-4 30 P M, Monday through Friday.

General ORV/ATV Information in State and National Forests For further information on DNR policy concerning the use of ORVs on Division of Forestry administered lands, please contact:

John Hellquist, Forest Recreation Specialist  
MN/DNR-Division of Forestry  
Box 44 - 500 Lafayette Road  
Saint Paul, Minnesota 55146  
(612)/297-3508

For further information on the use of ORVs on designated national forest roads and trails, please contact:

Chippewa National Forest  
Supervisor's Office  
Cass Lake, Minnesota 56633  
(218)/335-2226

Superior National Forest  
Supervisor's Office  
236 Federal Building  
Duluth, Minnesota 55801  
(218)/727-6692

PEN/jls

Enclosure

071985

MINNESOTA DNR-DIVISION OF FORESTRY FIELD OFFICES

March 1, 1985

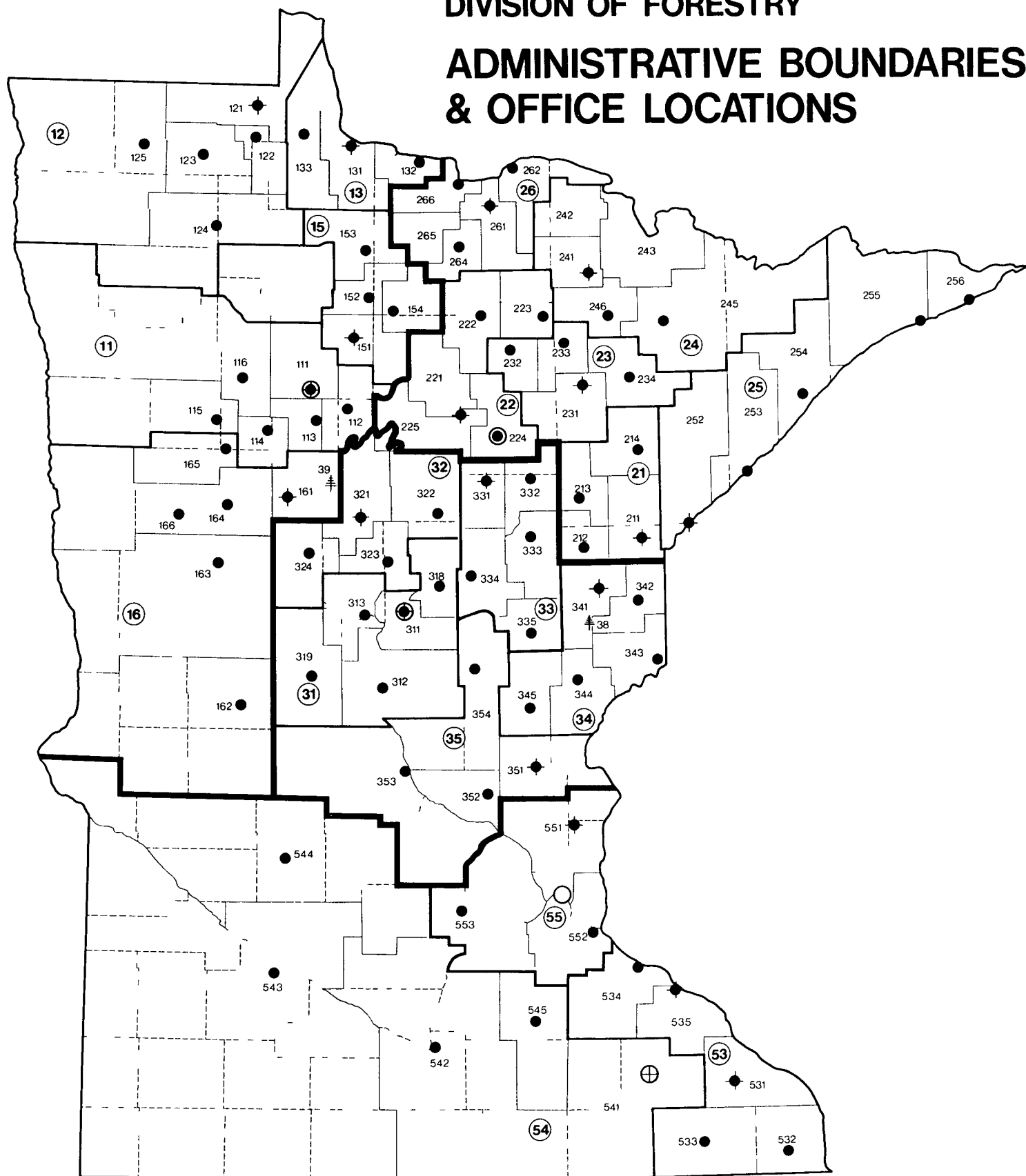
REGION/AREA/DISTRICT	ADDRESS	PHONE
<u>BEMIDJI REGION #1</u>	2115 Birchmont Beach Road Northeast Bemidji, Minnesota 56601	(218) 755-2891
Bemidji Area #11	2220 Bemidji Avenue Bemidji, Minnesota 56601	(218) 755-2890
Bemidji District #111	P O Box 825, Bemidji, Minnesota 56601	(218) 755-2890
Cass Lake District #112	Case Lake, Minnesota 56633	(218) 335-6647
Guthrie District #113	Guthrie, Minnesota 56451	(218) 224-2424
Itasca District #114	Lake Itasca, Minnesota 56460	(218) 266-3661
Roy Lake District #115	Roy Lake Station Mahnomen, Minnesota 56557	(218) 935-5951
Bagley District #116	Bagley, Minnesota 56621	(218) 694-2146
Warroad Area #12	Warroad, Minnesota 56763	(218) 386-1304
Warroad District #121	Warroad, Minnesota 56763	(218) 386-1304
Clear River District #122	Warroad, Minnesota 56736	(218) 386-1671
Wannaska District #123	Wannaska, Minnesota 56761	(218) 425-7666
Crygla District #124	Crygla, Minnesota 56727	(218) 294-6115
Greenbush District #125	Greenbush, Minnesota 56726	(218) 782-2205
Baudette Area #13	Route 1 - Box 1001 Baudette, Minnesota 56623	(218) 634-2172
Baudette District #131	Route 1 - Box 1001 Baudette, Minnesota 56623	(218) 634-2351
Birchdale District #132	Birchdale Ranger Station Route 3 - Box 201 Birchdale, Minnesota 56629	(218) 634-2838
Williams District #133	Williams Ranger Station Rural Route, Williams, Minnesota 56686	(218) 783-6935
Blackduck Area #15	Blackduck, Minnesota 56630	(218) 835-6684
Blackduck District #151	Blackduck, Minnesota 56630	(218) 835-6684
Kelliher District #152	Kelliher, Minnesota 56650	(218) 647-8268
Waskish District #153	Waskish, Minnesota 56685	(218) 647-8216
Northome District #154	Northome, Minnesota 56661	(218) 897-5254
Park Rapids Area #16	Box 113 - 607 West First Street Park Rapids, Minnesota 56470	(218) 732-3309
Parks Rapids District #161	Box 113 - 607 West First Street Park Rapids, Minnesota 56470	(218) 732-3309
Alexandria District #162	110 Aga Drive Alexandria, Minnesota 56308	(218) 762-2131
Perham District #163	222 Second Avenue Southeast Perham, Minnesota 56573	(218) 346-4035
Smokey Hills District #164	Box 113 - 607 West First Street Park Rapids, Minnesota 56470	(218) 732-3309
Elbow Lake District #165	Elbow Lake Ranger Station Waubun, Minnesota 56589	(218) 734-2271

REGION/AREA/DISTRICT	ADDRESS	PHONE
<u>GRAND RAPIDS REGION #2</u>	1201 East Highway 2 Grand Rapids, Minnesota 55744	(218) 327-1719
Cloquet Area #21	Box 220, Cloquet, Minnesota 55720	(218) 879-4544
Cloquet District #211	Box 220, Cloquet, Minnesota 55720	(218) 879-4544
Cromwell District #212	Cromwell, Minnesota 55726	(218) 644-3664
Floodwood District #213	Floodwood, Minnesota 55736	(218) 476-2349
Cotton District #214	Cotton, Minnesota 55724	(218) 482-3219
Deer River Area #22	Box 157, Dear River, Minnesota 56636	(218) 246-8343
Bowstring District #221	Box 157, Deer River, Minnesota 56636	(218) 246-8343
Effie District #222	Box 95, Effie, Minnesota 56639	(218) 653-2691
Thistledew District #223	Togo, Minnesota 55788	(218) 376-4564
Grand Rapids District #224	1201 East Highway 2 Grand Rapids, Minnesota 55744	(218) 327-1734
Deer River District #225	Box 157, Deer River, Minnesota 56636	(218) 246-8343
Hibbing Area #23	1208 East Howard Street - Box 705 Hibbing, Minnesota 55746	(218) 262-6761
Hibbing District #231	1208 East Howard Street - Box 705 Hibbing, Minnesota 55746	(218) 262-6764
Link Lake District #232	Route 2 - Bigfork, Minnesota 56628	(218) 743-3226
Side Lake District #233	Side Lake, Minnesota 55781	(218) 254-2370
Virginia District #234	Highway 135, Virginia, Minnesota 55792	(218) 749-1955
Orr Area #24	Orr, Minnesota 55771	(218) 757-3274
Orr District #241	Orr, Minnesota 55771	(218) 757-3274
Kabetogama District #242	Orr, Minnesota 55771	(218) 757-3489
Crane Lake District #243	Orr, Minnesota 55771	(218) 757-3200
Tower District #245	Tower, Minnesota 55790	(218) 753-4500
Cook District #246	Cook, Minnesota 55723	(218) 666-5385
Duluth Area #25	6163 Rice Lake Road Duluth, Minnesota 55803	(218) 723-4669
Cloquet Valley District #252	6163 Rice Lake Road Duluth, Minnesota 55803	(218) 723-4669
Two Harbors District #253	804 - 15th Street Two Harbors, Minnesota 55616	(218) 834-4730
Finland District #254	P O Box 495, Finland, Minnesota 55603	(218) 353-7397
Grand Marais District #255	Grand Marais, Minnesota 55604	(218) 387-1075
Hovland District #256	Hovland, Minnesota 55606	(218) 475-2210
Littlefork Area #26	Littlefork, Minnesota 56653	(218) 278-6651
Littlefork District #261	Littlefork, Minnesota 56653	(218) 278-6651
International Falls District #262	Box 8 - Route 8 International Falls, Minnesota 56649	(218) 286-3334
Big Falls District #263	Big Falls, Minnesota 56627	(218) 276-2401
Pine Island District #264	Big Falls, Minnesota 56627	(218) 276-2401
Loman District #265	Loman, Minnesota 56654	(218) 279-3313

REGION/AREA/DISTRICT	ADDRESS	PHONE
<u>BRAINERD REGION #3</u>	424 Front Street - Box 648 Brainerd, Minnesota 56401	(218) 828-2616
Brainerd Area #31	203 West Washington Street Brainerd, Minnesota 56401	(218) 828-2565
Brainerd District #311	203 West Washington Street Brainerd, Minnesota 56401	(218) 828-2565
Little Falls District #312	Route 4, Little Falls, Minnesota 56345	(218) 632-2321
Pillager District #313	203 West Washington Street Brainerd, Minnesota 56401	(218) 828-2568
Crosby District #318	2 First Street Northeast Crosby, Minnesota 56441	(218) 546-5725
Long Prairie District #319	720 Commerce Road Long Prairie, Minnesota 56347	(218) 732-6996
Backus Area #32	Box 6, Backus, Minnesota 56435	(218) 947-3232
Backus District #321	Box 6, Backus, Minnesota 56435	(218) 947-3232
Washburn Lake District #322	HCR - Box 370, Outing, Minnesota 56662	(218) 792-5383
Pequot Lakes District #323	Box 27, Pequot Lakes, Minnesota 56472	(218) 568-4566
Nimrod District #324	Route 2 - Box 49, Sebeka, Minnesota 56477	(218) 472-3262
Hill City Area #33	P O Box 9, Hill City, Minnesota 55748	(218) 697-2476
Hill City District #331	Hill City, Minnesota 55748	(218) 697-2476
Jacobson District #332	Jacobson, Minnesota 55752	(218) 752-6531
Sandy Lake District #333	Sandy Lake, McGregor, Minnesota 55760	(218) 426-3407
Aitkin District #334	Aitkin, Minnesota 56431	(218) 927-2414
McGrath District #335	McGrath, Minnesota 56350	(218) 592-3248
Moose Lake Area #34	Route 2 - 701 South Kenwood Moose Lake, Minnesota 55767	(218) 485-4474
Moose Lake District #341	Route 2 - 701 South Kenwood Moose Lake, Minnesota 55767	(218) 485-4474
Nickerson District #342	Route 1 - Box 160D Wrenshall, Minnesota 55797	(218) 496-5721
Eaglehead District #343	Route 2 - Box 123 Sandstone, Minnesota 55072	(218) 245-2022
Hinckley District #344	P O Box 74, Hinckley, Minnesota 55037	(218) 348-6146
Mora District #345	460 West Maple, Mora, Minnesota 55051	(218) 679-3683
Cambridge Area #35	915 South Highway 65 Cambridge, Minnesota 55008	(612) 689-2832
Cambridge District #351	915 South Highway 65 Cambridge, Minnesota 55008	(612) 689-2832
Zimmerman District #352	Route 2 - Box 13 Zimmerman, Minnesota 55398	(612) 856-4826
St Cloud District #353	3725 - 12th Street North - Box 370 St Cloud, Minnesota 56302	(612) 255-4277
Onamia District #354	Box 82, Onamia, Minnesota 56359	(612) 532-3137

## DIVISION OF FORESTRY

# ADMINISTRATIVE BOUNDARIES & OFFICE LOCATIONS



**REGION 1 BEMIDJI****AREA 11 BEMIDJI**

STATION 111 BEMIDJI  
 112 CASS LAKE  
 113 GUTHRIE  
 114 ITASCA  
 115 ROY LAKE  
 116 BAGLEY

**AREA 12 WARROAD**

STATION 121 WARROAD  
 122 CLEAR RIVER  
 123 WANASKA  
 124 GRAYLA  
 125 GREENBUSH

**AREA 13 BAUDETTE**

STATION 131 BAUDETTE  
 132 BIRCHDALE  
 133 WILLIAMS

**AREA 15 BLACKDUCK**

STATION 151 BLACKDUCK  
 152 KELLNER  
 153 WASKISH  
 154 NORTHOME

**AREA 16 PARK RAPIDS**

STATION 161 PARK RAPIDS  
 162 ALEXANDRIA  
 163 PERHAM  
 164 SMOKY HILLS  
 165 ELBOW LAKE  
 166 DETROIT LAKES (PFM)

**REGION 2 GRAND RAPIDS****AREA 21 CLOQUET**

STATION 211 CLOQUET  
 212 CROMWELL  
 213 FLOODWOOD  
 214 COTTON

**AREA 22 DEER RIVER**

STATION 221 BOWSTRING  
 222 EFFIE  
 223 THISTLEDEW  
 224 GRAND RAPIDS  
 225 DEER RIVER

**AREA 23 HIBBING**

STATION 231 HIBBING  
 232 LINK LAKE  
 233 SIDE LAKE  
 234 VIRGINIA

**AREA 24 ORR**

STATION 241 ORR  
 242 KABETOGAMA  
 243 CRANE LAKE  
 245 TOWER  
 246 COOK

**AREA 25 DULUTH**

STATION 252 CLOQUET VALLEY  
 253 TWO HARBORS  
 254 FOWLAND  
 255 GRAND MARAIS  
 256 HOVLAND

**AREA 26 LITTLEFORK**

STATION 261 LITTLEFORK  
 262 INTERNATIONAL FALLS  
 263 BIG FALLS  
 264 PINE ISLAND  
 265 LOMAN

**REGION 3 BRAINERD****AREA 31 BRAINERD**

STATION 311 BRAINERD  
 312 LITTLE FALLS  
 313 PILLAGER  
 318 CROSBY  
 319 LONG PRAIRIE

**AREA 32 BACKUS**

STATION 321 BACKUS  
 322 WASHBURN LAKE  
 323 PEQUOT LAKES  
 324 NIMROD

**AREA 33 HILL CITY**

STATION 331 HILL CITY  
 332 JACOBSON  
 333 SANDY LAKE  
 334 AITKEN  
 335 McGRATH

**AREA 34 MOOSE LAKE**

STATION 341 MOOSE LAKE  
 342 NICKERSON  
 343 EAGLEHEAD  
 344 MINCKLEY  
 345 MORA

**AREA 35 CAMBRIDGE**

STATION 351 CAMBRIDGE  
 352 ZIMMERMAN  
 353 ST CLOUD  
 354 ONAMIA

**NURSERY 38 GENERAL ANDREWS****NURSERY 39 BADOURA****REGION 5 ROCHESTER****AREA 53 LEWISTON**

STATION 531 LEWISTON  
 532 CALEDONIA  
 533 PRESTON  
 534 RED WING  
 535 LAKE CITY

**AREA 54 ROCHESTER**

STATION 541 ROCHESTER  
 542 MANKATO  
 543 NEW ULM  
 544 WILLMAR  
 545 FARBAULT

**AREA 55 CARLOS AVERY**

STATION 551 CARLOS AVERY  
 552 HASTINGS  
 553 WACONIA

**HEADQUARTERS SYMBOLS**

REGION



AREA



FIELD STATION



NURSERY

**BOUNDARY LINES**

REGION BOUNDARY



AREA BOUNDARY



DISTRICT BOUNDARY



COUNTY BOUNDARY

REGION/AREA/DISTRICT	ADDRESS	PHONE
<u>ROCHESTER REGION #5</u>	DNP-P O Box 6247 Rochester, Minnesota 55903	(507) 285-7428
Lewiston Area #53	Box 278, Lewiston, Minnesota 55952	(507) 523-2183
Lewiston District #531	Box 278, Lewiston, Minnesota 55952	(507) 523-2183
Caldeonia District #532	Agricultural Service Center - Suite 2 603 North Sprague Street Caledonia, Minnesota 55921	(507) 724-5261
Preston District #533	Box 212, Preston, Minnesota 55965	(507) 765-3892
Lake City Office #534 & #535	Box 69, Lake City, Minnesota 55041	(507) 345-3216
Rochester Area #54	2300 Silver Creek Road Northeast Rochester, Minnesota 55904	(507) 285-7429
Mankato District #542	Box 4033, Mankato, Minnesota 56001	(507) 389-6713
New Ulm District #543	Box 756 - Highway 15 South New Ulm, Minnesota 56073	(507) 354-2196
Willmar District #544	905 West Litchfield Willmar, Minnesota 56201	(507) 231-5164
Faribault District #545	1400 Cannon Circle Faribault, Minnesota 55021	(507) 332-3247
Metro Area #55	18310 Zodiac Forest Lake, Minnesota 55025	(612) 464-2810
Carlos Avery District #551	18310 Zodiac Forest Lake, Minnesota 55025	(612) 464-2810
Hastings District #552	Box 383, Hastings, Minnesota 55033	(612) 437-8532
Waconia District #553	219 East Frontage Road Waconia, Minnesota 55387	(612) 442-2317

MINNESOTA ALL-TERRAIN VEHICLE REGISTRATION

<u>Ending Last Day of</u>	<u>Monthly Volume</u>	<u>Total Registrations</u>
December 1984	316	316
January 1985	6,121	6,437
February 1985	1,067	7,504
March 1985	2,722	10,226
April 1985	1,752	11,978
May 1985	697	12,675
June 1985	427	13,102
July 1985	477	13,579
August 1985	284	13,863

Source Steve Seefeldt, MN/DNR Bureau of Licenses,  
applications received and processed

MIN Stat 1984

on state owned land or on any recreational trail which is funded in whole or in part by state grant in aid funds

Subd 5 No person shall enter or leave the lands of another with a recreational motor vehicle or pass from one portion of such lands to another portion through a closed gate without returning the gate to its original position No person shall enter or leave the lands of another with a recreational motor vehicle by cutting any wire or tearing down or destroying any fence

Subd 6 Nothing in this section shall limit or otherwise qualify the power of municipalities counties school districts or other political subdivisions of the state or any agency of the state to impose additional restrictions or prohibitions on the operation of recreational motor vehicles on property not owned by the operator in accordance with law

Subd 7 A person violating the provisions of this section is guilty of a misdemeanor

History 1974 c 468 s 1 1981 c 215 s 1

### THREE WHEEL OFF ROAD VEHICLES

#### 84 92 DEFINITIONS

Subdivision 1 The definitions in this section apply to Laws 1984 chapter 647 sections 1 to 9

Subd 2 Commissioner means the commissioner of natural resources

Subd 3 Dealer means a person engaged in the business of selling three wheel off road vehicles at wholesale or retail

Subd 4 Manufacturer means a person engaged in the business of manufacturing three wheel off road vehicles

Subd 5 Owner means a person other than a person with a security interest having a property interest in or title to a three wheel off road vehicle and entitled to the use and possession of the vehicle

Subd 6 Person means an individual or an organization as defined in section 336 1 201 paragraph (30)

Subd 7 Register means the act of assigning a registration number to a three wheel off road vehicle

Subd 8 Three wheel off road vehicle or vehicle means a motorized flotation tired vehicle of not less than three low pressure tires but not more than six tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds

History 1984 c 647 s 1

#### 84 922 REGISTRATION

Subdivision 1 General requirements Unless exempted in subdivision 8 after January 1 1985 a person may not operate a three wheel off road vehicle within the state unless the vehicle has been registered After January 1 1985 a person may not sell a vehicle without furnishing the buyer a bill of sale on a form prescribed by the commissioner

Subd 2 Application, issuance reports Application for registration or continued registration shall be made to the commissioner of natural resources the commissioner of public safety or an authorized deputy registrar of motor vehicles on a form prescribed by the commissioner The form must state the name and address of every owner of the vehicle and be signed by at least one owner Upon receipt of the application and the appropriate fee the commissioner shall register the vehicle

and assign a registration number prescribed by the commissioner to the registration system to the motor vehicles acting as such The commissioner of public safety may prescribe the efficient handling of the registration system in addition to other requirements registered by a deputy registrar in the jurisdiction where the official is located

Subd 3 Register means the act of assigning a registration card that contains the make and serial number and other information the commissioner shall be retained with the registration card has been issued for replacement registration card

Subd 4 Report means a report of a vehicle registered under this chapter within 15 days after the expiration of the registration executed by the registrar or the commissioner with the commissioner

Subd 5 Fees for registration under this section shall be \$15 for the first year of public safety shall be collected under this subsection

Subd 6 Renewal means the act of renewing a registration in a manner prescribed by the commissioner and the fees in subdivision 5

Subd 7 Vehicles means a vehicle for which a registration number must be issued by the state or a political subdivision

Subd 8 Exempted

(1) vehicles being used

(2) vehicles owned by the state

(3) vehicles covered by subdivision 5

(4) vehicles covered by subdivision 5

(5) vehicles being used

History 1984 c 647 s 1

#### 84 923 REQUIREMENTS FOR REGISTRATION OF VEHICLES

Subdivision 1 Identification number Every vehicle registered after January 1 1985 and sold in the

and assign a registration number that must be affixed to the vehicle in a manner prescribed by the commissioner. The commissioner shall use the snowmobile registration system to register vehicles under this section. Each deputy registrar of motor vehicles acting under section 168 33 is also a deputy registrar of vehicles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements. A fee of 50 cents in addition to other fees prescribed by law shall be charged for each vehicle registered by a deputy registrar and shall be deposited in the treasury of the jurisdiction where the deputy is appointed or retained if the deputy is not a public official.

**Subd 3 Registration card** The commissioner shall provide to the registrant a registration card that includes the registration number, the date of registration, the make and serial number of the vehicle, the owner's name and address, and additional information the commissioner may require. Information concerning each registration shall be retained by the commissioner. Upon a satisfactory showing that the registration card has been lost or destroyed, the commissioner shall issue a replacement registration card upon payment of a fee of \$4. The fees collected from replacement registration cards shall be deposited in the three wheel off road vehicle account.

**Subd 4 Report of transfers** A person who sells or transfers ownership of a vehicle registered under this section shall report the sale or transfer to the commissioner within 15 days of the date of transfer. An application for transfer must be executed by the registered owner and the purchaser on a form prescribed by the commissioner with the owner's registration certificate, a bill of sale, and a \$4 fee.

**Subd 5 Fees for registration** The fee for registration of each vehicle under this section shall be \$15 for three calendar years. The commissioner or commissioner of public safety shall charge an additional \$3 per registration granted. The fees collected under this subdivision shall be credited to the three wheel off road vehicle account.

**Subd 6 Renewal** Every owner of a three wheel vehicle must renew registration in a manner prescribed by the commissioner upon payment of the registration fees in subdivision 5.

**Subd 7 Vehicles owned by state or political subdivision** A registration number must be issued without the payment of a fee for three wheel vehicles owned by the state or a political subdivision upon application.

**Subd 8 Exemptions** A registration is not required for the following:

- (1) vehicles being used for work on agricultural lands
- (2) vehicles owned and used by the United States, another state, or a political subdivision
- (3) vehicles covered by a valid license of another state or county that have not been within this state for more than 30 consecutive days
- (4) vehicles used exclusively in organized track racing events, and
- (5) vehicles being used on private land with the permission of the landowner.

History 1984 c 647 s 2

## 84 923 REQUIREMENTS OF MAKERS OF THREE WHEEL OFF ROAD VEHICLES

**Subdivision 1 Identification number** All vehicles made after January 1, 1985, and sold in the state must have manufacturer's permanent identification

number stamped in letters and numbers on the vehicle in the form and at a location prescribed by the commissioner

**Subd 2 Registration number** All vehicles made after January 1, 1985 and sold in the state must be designed and made to provide an area to affix the registration number. This area shall be at a location and of dimensions prescribed by the commissioner.

**History** 1984 c 647 s 3

#### 84 925 EDUCATION AND TRAINING PROGRAM

**Subdivision 1 Program established** The commissioner shall establish a comprehensive three wheel off road vehicle environmental and safety education and training program including the preparation and dissemination of vehicle information and safety advice to the public, the training of three wheel off road vehicle operators and the issuance of three wheel off road vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the three wheel off road vehicle environmental and safety education and training course. For the purpose of administering the program and to defray a portion of the expenses of training and certifying vehicle operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the training and shall deposit the fee in the three wheel off road vehicle account. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. The commissioner shall consult with the commissioner of public safety in regard to training program, subject matter and performance testing that leads to the certification of vehicle operators.

**Subd 2 Youthful operators** (a) A person under the age of 14 years may not operate a three wheel off road vehicle on any public land or water under the jurisdiction of the commissioner unless accompanied by an adult on the vehicle or on an accompanying three wheel off road vehicle or on a device towed by the same or an accompanying three wheel off road vehicle. However, a person 12 years of age or older may operate a three wheel off road vehicle on public lands and waters under the jurisdiction of the commissioner if he has in his immediate possession a valid three wheel off road vehicle safety certificate issued by the commissioner.

(b) It is unlawful for the owner of a three wheel off road vehicle to allow the vehicle to be operated contrary to the provisions of this section.

**History** 1984 c 647 s 4

#### 84 926 VEHICLE USE ALLOWED ON PUBLIC LANDS BY THE COMMISSIONER

On a case by case basis, after notice and public hearing, the commissioner may allow vehicles on public trails under his jurisdiction during specified times.

**History** 1984 c 647 s 5

#### 84 927 REGISTRATION FEES, UNREFUNDED GASOLINE TAX ALLOCATION

**Subdivision 1 Registration revenue** Fees from the registration of three wheel off road vehicles and the unrefunded gasoline tax attributable to vehicle use under section 296.16 shall be deposited in the state treasury and credited to the three wheel off road vehicle account.

**Subd 2 Purposes** Subject to appropriation by the legislature, money in the three wheel off road vehicle account may only be spent for the following purposes:

1935

- (1) the education
- (2) administration
- 10 and
- (3) acquisition and

**History** 1984 c 647

#### 84 928 OPERATION

Except as provided, a vehicle may not be driven across a street or

(1) The crossing direction of the highway safe crossing

(2) The vehicle is main traveled way of the

(3) The driver yields immediate hazard

(4) In crossing a driveway of the highway with an

(5) If the crossing one half hour before sunrise and rear lights are on

**History** 1984 c 647

#### 84 929 PENALTIES

Any person who violates is guilty of a petty misdemeanor.

**History** 1984 c 647

#### 84 94 AGGREGATE F

**Subdivision 1 Purpose** To promote the resources to promote the burden of development local comprehensive plan

**Subd 2 Definition** home rule charter or statute

**Subd 3 Identification** sources with the cooperation and energy planning defined in section 473.12 for or potentially valuable outside of urban or developed consideration of their identification and classification are or may be on lands shall be classified

- (1) identified resource
- (2) potential resource and mentoring further evaluation

- (1) the education and training program under section 84 925
- (2) administration and implementation of Laws 1984 chapter 647 sections 1 to 10 and
- (3) acquisition and development of vehicle use areas

History 1984 c 647 s 6

#### 84 928 OPERATION ON STREETS AND HIGHWAYS

Except as provided in chapter 168 or in this section a three wheel off road vehicle may not be driven or operated on a highway A vehicle may make a direct crossing of a street or highway provided

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing

(2) The vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway

(3) The driver yields the right of way to all oncoming traffic that constitutes an immediate hazard

(4) In crossing a divided highway the crossing is made only at an intersection of the highway with another public street or highway and

(5) If the crossing is made between the hours of one half hour after sunset to one half hour before sunrise or in conditions of reduced visibility only if both front and rear lights are on

History 1984 c 647 s 7

#### 84 929 PENALTIES

Any person who violates any provision of sections 84 922 84 923 and 84 925 is guilty of a petty misdemeanor

History 1984 c 647 s 8

#### 84 94 AGGREGATE PLANNING AND PROTECTION

**Subdivision 1 Purpose** It is the purpose of this act to protect aggregate resources to promote orderly and environmentally sound development to spread the burden of development and to introduce aggregate resource protection into local comprehensive planning and land use controls

**Subd 2 Definition** For the purpose of this act municipality means a home rule charter or statutory city or a town

**Subd 3 Identification and classification** The department of natural resources with the cooperation of the state geological survey departments of transportation and energy planning and development outside of the metropolitan area as defined in section 473 121 shall conduct a program of identification and classification of potentially valuable publicly or privately owned aggregate lands located outside of urban or developed areas where aggregate mining is restricted without consideration of their present land use The program shall give priority to identification and classification in areas of the state where urbanization or other factors are or may be resulting in a loss of aggregate resources to development Lands shall be classified as

- (1) identified resources being those containing significant aggregate deposits
- (2) potential resources being those containing potentially significant deposits and meriting further evaluation or

MAJOR PROVISIONS OF S F 1065 (ATV)  
(House Companion of SF 1065)

[CEIT/TF] nt

SS/065R, after action from Committee on Agriculture and Natural Resources  
April 19, 1985

Section 1 [DEFINITIONS ]

- Change "three-wheel off-road" to "all-terrain" vehicles

Section 4 [REGISTRATION ]

- \$18 00/three years, \$4 00 duplicate or transfer, dealer \$50 00/year, manufacturer \$150 00/year

Section 7 [EXEMPTIONS ]

- Vehicles being used for work on agricultural land

Section 8 [LICENSING BY POLITICAL SUBDIVISIONS.]

- No licensing or registration by local government units

Section 9 [REGISTRATION BY MINORS PROHIBITED ]

- No person under 18 may register an ATV

Section 10 Subdivision 1 [RULEMAKING ]

- Commissioner of Natural Resources may adopt rules and regulations under Chapter 14 for
  - Registration and display of number
  - Use insofar as game and fish are affected
  - Use on lands and waters under commissioner
  - Uniform signing by all government units
  - Muffler specifications

Section 10 Subdivision 2 [COMMISSIONER OF PUBLIC SAFETY ]

- Commissioner may adopt rules under 84 928 for streets and highways

Section 11 Subdivision 2 [YOUTHFUL OPERATORS ]

- A person 12 years or older can operate on land and water under the Commissioner without accompanying adult if the person possesses certificate

Section 12 [SIGNAL FROM PEACE OFFICER ] -- as defined in M S 626 84, subd 1, paragraph (c)

- Unlawful to flee after receiving signal

Section 13 [YOUTHFUL OPERATORS, PROHIBITIONS ]

- If under 12, no crossing nor operation on roads permitted
- If 12 to 13 may cross roads only if accompanied by person 18 years or older AND safety certificate
- If 14 to 15, may cross roads if in possession of certificate or drivers license
- If under 12, or under 14 without certificate, on public land or water, rider must be accompanied by parent guardian or other person 18 or older
- If 14 or less rider must wear helmet when on public lands

Section 14 [REGISTRATION FEES, UNREFUNDED GAS TAX, ALLOCATION ]

- ATV Account used for acquisition, maintenance and development of vehicle trails and use areas
- Grants In Aid (GIA) to local units for trails and use areas
- Fund distribution guided by SCORP

Section 15 [OPERATION REQUIREMENTS, LOCAL REGULATION ]

- Can not be driven or operated on highway (except as provided in Chapter 168 or this section)
- Unlawful to operate
  - Carelessly, recklessly negligently
  - Without stop light
  - Under the influence of alcohol and controlled substances or combination.
  - On an airport
- Organized contests allowed along highways, lands and waters by official or board
- County, city, town may regulate lands/waters and property under their jurisdiction if consistent with act or rules

Section 16 Minnesota Statutes 85 018, subd 1 amended

- "Commissioner" means the commissioner of the GIA agency

Section 17 Minnesota Statutes 85 018, subd 2 amended

- Local unit with concurrence of commissioner, landowner or lessee may
  - Designate the trail at various times of year for non-motorized, motorized or ATV use
- With concurrence of commissioner and landowner/lessee, and after notice and public hearing may designate trails for joint use of snowmobile and ATV

Section 18 Minnesota Statutes 85 018 subd 3 amended

- Permits for non-designated use may be issued

Section 19 Minnesota Statutes 85 018, subd 4 amended

- No motorized use on designated non-motorized trails

Section 20 Minnesota Statutes 85 108, subd 5 amended

- December 1 to April no motorized use except snowmobile on designated snowmobile trails, unless authorized by permit
- December 1 to April 1 no motorized use except ATV on designated ATV trails unless by permit

Section 21 Section 100 273, subd 9 amended

- Trespass makes ATV registration null and void

Section 22 Minnesota Statutes 296 16 amended

- 0.15 of one percent of all gasoline except for aviation purposes is identified as being used by ATVs

Section 23 [APPROPRIATION ]

- \$830,000 CC is appropriated from the ATV account through June 30, 1987 to administer Section 1 to 19 Two complement positions

PEN/jls-062485

SENATE  
STATE OF MINNESOTA  
SEVENTY FOURTH LEGISLATURE

PRINTED 746  
PAGE NO

S.F. NO 1065

Introduced by Peterson, R W Bernhagen Johnson, D J and  
Laidig  
Read First Time Mar 21, 1985, and Referred to the Committee  
on Agriculture and Natural Resources  
Committee Recommendation To Pass as Amended and Re-referred  
to the Committee on Finance  
Pursuant to Rule 35, Referred to the Committee on Rules and  
Administration Apr 26, 1985  
Committee Recommendation Adopt Previous Committee Report  
Committee Report Adopted Apr 29, 1985  
Committee Recommendation To Pass as Amended  
Committee Report Adopted May 15, 1985  
Read Second Time May 15, 1985

1 A bill for an act  
2 relating to recreational vehicles regulating  
3 all-terrain vehicles, providing penalties,  
4 appropriating money, amending Minnesota Statutes 1984  
5 sections 84 92, 84 922, subdivisions 1, 3, 5 6 7 8,  
6 and by adding subdivisions, 84 925, 84 927, 84 928  
7 85 018 subdivisions 1, 2, 3, 4, and 5, 100 273,  
8 subdivision 9, and 296 16, subdivision 1 proposing  
9 coding for new law in Minnesota Statutes, chapter 84  
10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA  
12 Section 1 Minnesota Statutes 1984 section 84 92 is  
13 amended to read  
14 84 92 [DEFINITIONS ]  
15 Subdivision 1 [SCOPE ] The definitions in this section  
16 apply to Laws-1984--chapter-647, sections 1 84 92 to 9  
17 84 929  
18 Subd 1a [ALL-TERRAIN VEHICLE ] All-terrain vehicle or  
19 vehicle' means a motorized flotation-tired vehicle of not less  
20 than three low pressure tires, but not more than six tires that  
21 is limited in engine displacement of less than 800 cubic  
22 centimeters and total dry weight less than 600 pounds  
23 Subd 2 [COMMISSIONER ] "Commissioner means the  
24 commissioner of natural resources  
25 Subd 3 [DEALER ] Dealer" means a person engaged in the  
26 business of selling ~~three-wheel-off-road~~ all-terrain vehicles at  
27 wholesale or retail

1 Subd 4 [MANUFACTURER] Manufacturer means a person  
2 engaged in the business of manufacturing ~~three-wheel-off-road~~  
3 all-terrain vehicles

4 Subd 5 [OWNER] Owner' means a person other than a  
5 person with a security interest, having a property interest in  
6 or title to ~~a three-wheel-off-road~~ an all-terrain vehicle and  
7 entitled to the use and possession of the vehicle

8 Subd 6 [PERSON] Person" means an individual or an  
9 organization as defined in section 336 1-201, paragraph (30)

10 Subd 7 [REGISTER] Register' means the act of assigning  
11 a registration number to ~~a three-wheel-off-road~~ an all-terrain  
12 vehicle

13 Subd--8---"~~Three-wheel-off-road-vehicle~~"-or-"~~vehicle~~"-means  
14 ~~a motorized flotation-tired vehicle of not less than three low~~  
15 ~~pressure-tires, but not more than six tires, that is limited in~~  
16 ~~engine displacement of less than 800 cubic centimeters and total~~  
17 ~~dry weight less than 600 pounds-~~

18 Sec 2 Minnesota Statutes 1984, section 84 922,  
19 subdivision 1 is amended to read

20 Subdivision 1 [GENERAL REQUIREMENTS] Unless exempted in  
21 subdivision 8, after January 1, 1985, a person may not operate a  
22 ~~three-wheel-off-road~~ an all-terrain vehicle within the state  
23 unless the vehicle has been registered After January 1, 1985,  
24 a person may not sell a vehicle without furnishing the buyer a  
25 bill of sale on a form prescribed by the commissioner

26 Sec 3 Minnesota Statutes 1984, section 84 922  
27 subdivision 3, is amended to read

28 Subd 3 [REGISTRATION CARD] The commissioner shall  
29 provide to the registrant a registration card that includes the  
30 registration number, the date of registration, the make and  
31 serial number of the vehicle, the owner's name and address, and  
32 additional information the commissioner may require  
33 Information concerning each registration shall be retained by  
34 the commissioner Upon a satisfactory showing that the  
35 registration card has been lost or destroyed the commissioner  
36 shall issue a replacement registration card upon payment of a

1 fee of \$4 The fees collected from replacement registration  
2 cards shall be deposited in the ~~three-wheel-off-road~~ all-terrain  
3 vehicle account

4 Sec 4 Minnesota Statutes 1984, section 84 922  
5 subdivision 5, is amended to read

6 Subd 5 [FEES FOR REGISTRATION ] (a) The fee for  
7 registration of each vehicle under this section shall ~~be \$15 for~~  
8 ~~three-calendar-years---The-commissioner-or-commissioner-of~~  
9 ~~public-safety-shall-charge-an-additional-\$3-per-registration~~  
10 granted other than those registered by a dealer or manufacturer  
11 under paragraph (b) or (c) is \$18 for three years and \$4 for a  
12 duplicate or transfer

13 (b) The total registration fee for all-terrain vehicles  
14 owned by a dealer and operated for demonstration or testing  
15 purposes is \$50 per year Dealer registrations are not  
16 transferable

17 (c) The total registration fee for all-terrain vehicles  
18 owned by a manufacturer and operated for research testing  
19 experimentation, or demonstration purposes is \$150 per year  
20 Manufacturer registrations are not transferable

21 (d) The fees collected under this subdivision shall must be  
22 credited to the ~~three-wheel-off-road~~ all-terrain vehicle account

23 Sec 5 Minnesota Statutes 1984 section 84 922,  
24 subdivision 6 is amended to read

25 Subd 6 [RENEWAL ] Every owner of ~~a-three-wheel~~ an  
26 all-terrain vehicle must renew registration in a manner  
27 prescribed by the commissioner upon payment of the registration  
28 fees in subdivision 5

29 Sec 6 Minnesota Statutes 1984, section 84 922,  
30 subdivision 7, is amended to read

31 Subd 7 [VEHICLES OWNED BY STATE OR POLITICAL  
32 SUBDIVISION ] A registration number must be issued without the  
33 payment of a fee for ~~three-wheel~~ all-terrain vehicles owned by  
34 the state or a political subdivision upon application

35 Sec 7 Minnesota Statutes 1984, section 84 922,  
36 subdivision 8, is amended to read

1 Subd 8 [EXEMPTIONS ] A registration is not required for  
2 the following

3 (1) vehicles being used for work on agricultural lands

4 (2) vehicles owned and used by the United States, another  
5 state or a political subdivision,

6 (3) vehicles covered by a valid license of another state or  
7 ~~county~~ country that have not been within this state for more  
8 than 30 consecutive days,

9 (4) vehicles being ~~used exclusively~~ in organized track  
10 racing events, and

11 (5) vehicles being used on private land with the permission  
12 of the landowner

13 Sec 8 Minnesota Statutes 1984, section 84 922, is  
14 amended by adding a subdivision to read

15 Subd 9 [LICENSING BY POLITICAL SUBDIVISIONS ] A  
16 political subdivision may not require licensing or registration  
17 of all-terrain vehicles covered by sections 84 92 to 84 929

18 Sec 9 Minnesota Statutes 1984, section 84 922, is  
19 amended by adding a subdivision to read

20 Subd 10 [REGISTRATION BY MINORS PROHIBITED ] A person  
21 under age 18 may not register an all-terrain vehicle

22 Sec 10 [84 924] [RULEMAKING, ACCIDENT REPORT ]

23 Subdivision 1 [COMMISSIONER OF NATURAL RESOURCES ] The  
24 commissioner may adopt rules relating to all-terrain vehicles,  
25 including

26 (1) registration of all-terrain vehicles and display of  
27 registration numbers,

28 (2) uses of all-terrain vehicles that affect game and fish  
29 resources

30 (3) use of all-terrain vehicles on public lands and waters  
31 under the jurisdiction of the commissioner,

32 (4) uniform signs to be used by the state counties, towns  
33 and statutory and home rule charter cities to control, direct,  
34 or regulate the operation and use of all-terrain vehicles and

35 (5) specifications relating to all-terrain vehicle mufflers

36 Subd 2 [COMMISSIONER OF PUBLIC SAFETY ] The commissioner

1 of public safety may adopt rules regulating the use of  
 2 all-terrain vehicles on streets and highways under section  
 3 84 928

4 Sec 11 Minnesota Statutes 1984 section 84 925 is  
 5 amended to read

6 84 925 [EDUCATION AND TRAINING PROGRAM ]

7 Subdivision 1 [PROGRAM ESTABLISHED ] The commissioner  
 8 shall establish a comprehensive ~~three-wheel-off-road~~ all-terrain  
 9 vehicle environmental and safety education and training program,  
 10 including the preparation and dissemination of vehicle  
 11 information and safety advice to the public the training of  
 12 ~~three-wheel-off-road~~ all-terrain vehicle operators, and the  
 13 issuance of ~~three-wheel-off-road~~ all-terrain vehicle safety  
 14 certificates to vehicle operators over the age of 12 years who  
 15 successfully complete the ~~three-wheel-off-road~~ all-terrain  
 16 vehicle environmental and safety education and training course  
 17 For the purpose of administering the program and to defray a  
 18 portion of the expenses of training and certifying vehicle  
 19 operators, the commissioner shall collect a fee of not to exceed  
 20 \$5 from each person who receives the training and shall deposit  
 21 the fee in the ~~three-wheel-off-road~~ all-terrain vehicle  
 22 account The commissioner shall cooperate with private  
 23 organizations and associations, private and public corporations,  
 24 and local governmental units in furtherance of the program  
 25 established under this section The commissioner shall consult  
 26 with the commissioner of public safety in regard to training  
 27 program subject matter and performance testing that leads to the  
 28 certification of vehicle operators

29 Subd 2 [YOUTHFUL OPERATORS ] (a) A person under the age  
 30 of 14 years may not operate a ~~three-wheel-off-road~~ an  
 31 all-terrain vehicle on any public land or water under the  
 32 jurisdiction of the commissioner unless accompanied by an adult  
 33 on the vehicle or on an accompanying ~~three-wheel-off-road~~  
 34 vehicle or on a device towed by the same or an  
 35 accompanying ~~three-wheel-off-road~~ vehicle However, A  
 36 person age 12 years-of-age or older may operate a ~~three-wheel~~

1 off-road vehicle on public lands and waters under the  
2 jurisdiction of the commissioner without an accompanying adult  
3 ~~if he has in his immediate possession~~ the person is carrying a  
4 valid three-wheel-off-road all-terrain vehicle safety  
5 certificate issued by the commissioner

6 (b) It is unlawful for the owner of a three-wheel-off-road  
7 an all-terrain vehicle to allow the vehicle to be operated  
8 contrary to the provisions of this section

9 Sec 12 [84 9254] [SIGNAL FROM OFFICER TO STOP ]

10 An all-terrain vehicle operator after receiving a visual  
11 or audible signal to stop from a peace officer as defined in  
12 section 626 84, subdivision 1, paragraph (c), may not

13 (1) operate an all-terrain vehicle in willful or wanton  
14 disregard of the signal to stop,

15 (2) interfere with or endanger the peace officer or any  
16 other person or vehicle or

17 (3) increase speed or attempt to flee from the officer

18 Sec 13 [84 9256] [YOUTHFUL OPERATORS, PROHIBITIONS ]

19 Subdivision 1 [PROHIBITIONS ON YOUTHFUL OPERATORS ] (a)  
20 Notwithstanding section 84 928, a person under age 12 may not  
21 cross a trunk, county state-aid or county highway as the  
22 operator of an all-terrain vehicle, or operate the vehicle upon  
23 a street or highway within a municipality

24 (b) A person at least age 12 but under age 14 may cross a  
25 trunk county state-aid, or county highway only if the person  
26 possesses a valid all-terrain vehicle safety certificate and is  
27 accompanied by a person over age 18 A person at least age 14,  
28 but under age 16 may cross a trunk, county state-aid or county  
29 highway only if the person possesses an all-terrain vehicle  
30 safety certificate or a motor vehicle operator's license

31 (c) A person under age 12, or a person under age 14 who  
32 does not possess an all-terrain vehicle safety certificate may  
33 not operate an all-terrain vehicle on public land or water under  
34 the jurisdiction of the commissioner, unless the person's parent  
35 or legal guardian or a person age 18 or older accompanies the  
36 person on the same vehicle if the vehicle is designed for more

1 than one person or on another all-terrain vehicle

2 Subd 2 [HELMET REQUIRED] A person under age 14 may not  
 3 operate an all-terrain vehicle on public land unless the person  
 4 wears a safety helmet approved by the commissioner of public  
 5 safety

6 Subd 3 [PROHIBITIONS ON OWNER] An owner of an  
 7 all-terrain vehicle may not allow the vehicle to be operated  
 8 contrary to this section

9 Sec 14 Minnesota Statutes 1984 section 84 927 is  
 10 amended to read

11 84 927 [REGISTRATION FEES, UNREFUNDED GASOLINE TAX  
 12 ALLOCATION ]

13 Subdivision 1 [REGISTRATION REVENUE] Fees from the  
 14 registration of ~~three-wheel-off-road~~ all-terrain vehicles and  
 15 the unrefunded gasoline tax attributable to all-terrain vehicle  
 16 use under section 296 16 shall be deposited in the state  
 17 treasury and credited to the ~~three-wheel-off-road~~ all-terrain  
 18 vehicle account ,

19 Subd 2 [PURPOSES] ~~Subject-to-appropriation-by-the~~  
 20 ~~legislature,~~ (a) Money in the three-wheel-off-road all-terrain  
 21 vehicle account may only be spent for the-following-purposes

22 (1) the education and training program under section 84 925

23 (2) administration and implementation of ~~Laws-1984,~~ chapter  
 24 ~~647,~~ sections ~~1~~ 84 92 to ~~10,~~ and 84 929,

25 (3) acquisition maintenance, and development of vehicle  
 26 trails and use areas,

27 (4) grant programs to counties and municipalities to  
 28 construct and maintain all-terrain vehicle trails and use areas,  
 29 and

30 (5) grants to local all-terrain vehicle safety programs

31 (b) The distribution of money made available through grant  
 32 programs must be determined by the statewide comprehensive  
 33 outdoor recreation plan

34 Sec 15 Minnesota Statutes 1984 section 84 928, is  
 35 amended to read

36 84 928 [OPERATION ON STREETS AND HIGHWAYS LOCAL

1 REGULATION ]

2 Subdivision 1 [OPERATION ON STREETS AND HIGHWAYS ] Except  
3 as provided in chapter 168 or in this section ~~a-three-wheel~~  
4 ~~off-road~~ an all-terrain vehicle may not be driven or operated on  
5 a highway

6 A An all-terrain vehicle may ~~make-a-direct-crossing-of~~  
7 cross a street or highway provided

8 (1) the crossing is made at an angle of approximately 90  
9 degrees to the direction of the highway and at a place where no  
10 obstruction prevents a quick and safe crossing,

11 (2) the vehicle is brought to a complete stop before  
12 crossing the shoulder or main traveled way of the highway

13 (3) the driver yields the right of way to all oncoming  
14 traffic that constitutes an immediate hazard,

15 (4) in crossing a divided highway, the crossing is made  
16 only at an intersection of the highway with another public  
17 street or highway, and

18 (5) if the crossing is made between the hours of one-half  
19 hour after sunset to one-half hour before sunrise or in  
20 conditions of reduced visibility, only if both front and rear  
21 lights are on

22 Subd 2 [OPERATION GENERALLY ] A person may not operate  
23 an all-terrain vehicle

24 (1) in a careless reckless, or negligent manner so as to  
25 endanger or to cause injury or damage to the person or property  
26 of another, or

27 (2) without a functioning stoplight

28 Subd 3 [OPERATING UNDER INFLUENCE OF ALCOHOL OR  
29 CONTROLLED SUBSTANCE ] (a) A person may not operate or be in  
30 physical control of an all-terrain vehicle in this state when  
31 the person is

32 (1) under the influence of alcohol

33 (2) under the influence of a controlled substance, or

34 (3) under the influence of a combination of any two or more  
35 of the elements in clauses (1) and (2)

36 (b) A person who violates this subdivision is guilty of a

1 misdemeanor

2 Subd 4 [OPERATION PROHIBITED ON AIRPORTS ] A person may  
3 not operate an all-terrain vehicle on an airport as defined in  
4 section 360 013 subdivision 5

5 Subd 5 [ORGANIZED CONTESTS, USE OF HIGHWAYS AND PUBLIC  
6 LANDS AND WATERS ] (a) Notwithstanding this section or chapter  
7 169 all-terrain vehicles may be operated within the  
8 right-of-way of a state trunk or county state-aid highway or on  
9 public lands or waters under the jurisdiction of the  
10 commissioner of natural resources in an organized contest  
11 subject to the consent of the official or board having  
12 jurisdiction over the highway or public lands or waters The  
13 official or board may prescribe restrictions or conditions for  
14 the contest

15 (b) A county statutory or home rule charter city, or a  
16 town, may regulate the operation of all-terrain vehicles within  
17 its boundaries, in a manner consistent with sections 84 92 to  
18 84 929 A statutory or home rule charter city or town may not  
19 adopt an ordinance that

20 (1) imposes a fee for the use of state land or  
21 (2) requires an all-terrain vehicle operator to possess a  
22 motor vehicle driver's license while operating an all-terrain  
23 vehicle

24 Sec 16 Minnesota Statutes 1984, section 85 018,  
25 subdivision 1 is amended to read

26 Subdivision 1 [DEFINITIONS ] For the purposes of this  
27 section,

28 (a) "Trail" means a recreational trail, which that is  
29 funded in whole or in part by state grants-in-aid to a local  
30 unit of government

31 (b) "Commissioner" means the commissioner of the state  
32 agency that makes grants-in-aid for a trail

33 Sec 17 Minnesota Statutes 1984, section 85 018,  
34 subdivision 2, is amended to read

35 Subd 2 [AUTHORITY OF LOCAL GOVERNMENT ] (a) A local  
36 government unit that receives state grants-in-aid for any trail,

1 with the concurrence of the commissioner and the landowner or  
 2 land lessee may

3 ~~(a)~~ (1) designate the trail for use by snowmobiles or for  
 4 nonmotorized use from December 1 to April 1 of any year and

5 ~~(b)~~ (2) issue any permit ~~required~~ allowed under  
 6 subdivisions 3 to 5

7 (b) A local government unit that receives state  
 8 grants-in-aid under section 84 927, subdivision 2 for any  
 9 trail with the concurrence of the commissioner and landowner  
 10 or land lessee may

11 (1) designate the trail at different times of the year for  
 12 nonmotorized use or use by all-terrain vehicles and

13 (2) issue any permit allowed under subdivisions 3 to 5

14 (c) A local unit of government that receives state  
 15 grants-in-aid for any trail with the concurrence of the  
 16 commissioner and landowner or land lessee and after notice and  
 17 public hearing, may designate certain trails for joint use by  
 18 snowmobiles and all-terrain vehicles

19 Sec 18 Minnesota Statutes 1984 section 85 018  
 20 subdivision 3, is amended to read

21 Subd 3 [~~MOTORIZED TRAIL~~ USE, PERMITS ] ~~Motorized-use-of~~  
 22 ~~trails~~ If a trail has been designated for one use other uses of  
 23 the trail shall be allowed only by permit ~~between-April-2-and~~  
 24 ~~November-30-of-any-year~~ Permits shall require that permit  
 25 holders return the trail and any associated facility to their  
 26 original condition if any damage is done by the permittee  
 27 Limited permits for special events such as races may be issued  
 28 and shall require the removal of any trail markers banners and  
 29 other material used in connection with the special event

30 Sec 19 Minnesota Statutes 1984, section 85 018  
 31 subdivision 4 is amended to read

32 Subd 4 [~~NONMOTORIZED USE TRAILS;-WINTER~~ ] ~~From-December~~  
 33 ~~1-to-April-1-of-any-year-no~~ A motorized vehicle shall may not be  
 34 operated on a trail designated for nonmotorized use such-as-sk  
 35 touring-or-snowshoe-use

36 Sec 20 Minnesota Statutes 1984, section 85 018

1 subdivision 5 is amended to read

2 Subd 5 [SNOWMOBILE AND ALL-TERRAIN VEHICLE TRAILS  
3 RESTRICTED ] (a) From December 1 to April 1 in any year no use  
4 of a motorized vehicle other than a snowmobile unless  
5 authorized by permit lease or easement shall be permitted on a  
6 trail designated for use by snowmobiles

7 (b) From December 1 to April 1 a motorized vehicle other  
8 than an all-terrain vehicle may not be operated on a trail  
9 designated for use by all-terrain vehicles unless authorized by  
10 permit

11 Sec 21 Minnesota Statutes 1984 section 100 273,  
12 subdivision 9 is amended to read

13 Subd 9 Violation of any provision of this section is a  
14 misdemeanor Upon a person's conviction for violating any  
15 provision of this section, any license issued to him pursuant to  
16 chapter 98, or any registration pursuant to section 84 82 or  
17 84 922, under which he was exercising or attempting to exercise  
18 a privilege while violating this section shall immediately  
19 become null and void

20 Sec 22 Minnesota Statutes 1984, section 296 16,  
21 subdivision 1 is amended to read

22 Subdivision 1 [INTENT ] All gasoline received in this  
23 state and all gasoline produced in or brought into this state  
24 except aviation gasoline and marine gasoline shall be determined  
25 to be intended for use in motor vehicles in this state

26 Approximately three-fourths of one percent of all gasoline  
27 received in this state and three-fourths of one percent of all  
28 gasoline produced or brought into this state, except gasoline  
29 used for aviation purposes, is being used as fuel for the  
30 operation of motor boats on the waters of this state and of the  
31 total revenue derived from the imposition of the gasoline fuel  
32 tax for uses other than in motor boats, three-fourths of one  
33 percent of such revenues is the amount of tax on fuel used in  
34 motor boats operated on the waters of this state

35 Approximately three-fourths of one percent of all gasoline  
36 received in and produced or brought into this state except

1 gasoline used for aviation purposes is being used as fuel for  
2 the operation of snowmobiles in this state, and of the total  
3 revenue derived from the imposition of the gasoline fuel tax for  
4 uses other than in snowmobiles, three-fourths of one percent of  
5 such revenues is the amount of tax on fuel used in snowmobiles  
6 operated in this state

7 Approximately 0.15 of one percent of all gasoline received  
8 in or produced or brought into this state except gasoline used  
9 for aviation purposes, is being used for the operation of  
10 all-terrain vehicles in this state and of the total revenue  
11 derived from the imposition of the gasoline fuel tax 0.15 of  
12 one percent is the amount of tax on fuel used in all-terrain  
13 vehicles operated in this state

14 Sec 23 [APPROPRIATION ]

15 \$830,000 is appropriated from the all-terrain vehicle  
16 account to the commissioner of natural resources to administer  
17 sections 1 to 19

18 \$435,000 is available for the fiscal year ending June 30,  
19 1986 and \$395,000 is available for the fiscal year ending June  
20 30, 1987. The approved complement of the department of natural  
21 resources is increased by two positions.

MAJOR PROVISIONS OF H F 1015 (ATV)  
(Senate Companion of 1015)

April 15, 1985 [REVISOR] JC

H F 1015-1E, after action from Appropriations Committee May 10, 1985

Section 1 [DEFINITIONS ]

- Change "three-wheel off-road" to "all-terrain" vehicles
- "Agricultural Zone" area south and west of trunk highway 10, 23 and 95

Section 4 [REGISTRATIONS ]

- \$18 00/three years, \$4 00 duplicate or transfer, dealer \$50 00/year, manufacturer \$150 00/year

Section 7 [EXEMPTIONS ]

- Vehicles being used for work exclusively on agricultural land

Section 8 [LICENSING BY POLITICAL SUBDIVISIONS ]

- No licensing or registration by local government units

Section 9 [REGISTRATION BY MINORS PROHIBITED ]

- No person under 18 may register an ATV

Section 10 Subdivision 1 [RULEMAKING ]

- Commissioner of Natural Resources shall adopt rules and regulations under Chapter 14 for
  - Registration and display of number
  - Use insofar as game and fish are affected
  - Use on lands and waters under commissioner
  - Uniform signing by all government units
  - Muffler specifications

Section 10 Subdivision 2 [COMMISSIONER OF PUBLIC SAFETY ]

- Commissioner may adopt rules under Chapter 14 for streets and highways

Section 10 Subdivision 3 [ACCIDENT REPORT ]

- Report accident for cases of death, medical attention or damages over \$100 00

Section 12 [SIGNAL FROM OFFICER ]

- Unlawful to flee after receiving signal

Section 13 [YOUTHFUL OPERATORS, PROHIBITIONS ]

- If under 12, no crossing nor operation on roads
- If 12 to 13, may cross roads only if accompanied by person 18 years or older  
AND safety certificate
- If under 14 on public land or water, must be accompanied by parent, guardian or other person 18 or older
- However, if 12 years or older, rider may operate on land and water under commissioner if certificate is possessed
- If 14 to 15, may cross roads having certificate or drivers license
- If 16 or under, must wear helmet when on public lands
- Provides for revocation of safety certificate and drivers license (if under 18 )

Section 14 [REGISTRATION FEES, UNREFUNDED GAS TAX, ALLOCATION]

- ATV Account used for acquisition, maintenance and development of vehicle trails and use areas
- Grants-In-Aid (GIA) to local units for trails and use areas
- Fund distribution guided by SCORP

Section 15 [OPERATION REQUIREMENTS, LOCAL REGULATION]

- Can not operate on roadway, shoulder, inside bank or slope of trunk, county state aid, or county highway (except by local board resolution)
- No operation within trunk, county state aid, or county right-of-way from April 1 to August 1 in agricultural zone Except when vehicle is used exclusively as transportation to and from work or agricultural lands or by local board resolution
- No operation within right-of-way between half-hour after sunset to half-hour before sunset, but never with an interstate or freeway right-of-way and only with the flow of traffic
- Allows the use of bridges when no other means are available
- When used on public streets or highways must have headlight, taillight brakes, 16 inch square reflectorized materials on each side forward of handlebars
- Permits unrestricted use when auto travel conditions are impractical
- Chapter 169 applies to ATVs when appropriate on streets and highways
- Towed devices must be reflectorized
- Unlawful to operate
  - Faster than reasonable
  - Carelessly, recklessly, negligently
  - Without headlight (taillight lighted at all times)
  - Without stop light
  - In tree nursery and plantation
  - Under the influence of alcohol and controlled substances
  - On an airport
- Organized contests allowed along highways, lands and waters by official or board
- County, city, town may regulate lands/waters and property under their jurisdiction if consistent with act or rules
- Road authority and personnel exempted from liability arising from ATV's on road right-of-way or trail Liability not affected for party or organization having responsibility for maintenance of ATV corridor

Section 16 Minnesota Statutes 85 018 amended

- "Commissioner" means the commissioner of the GFA agency
- Local unit with concurrence of commissioner, landowner or lessee may
  - Designated the trail at various times of year for non-motorized motorized or multiple use, but no motorized or non-motorized at same time
- With concurrence of commissioner and landowner/lessee, may designate trails for joint use of snowmobile and ATV
- Permits for non-designated motorized use may be issued
- December 1 to April 1 no motorized except snowmobiles on designated snowmobile trails unless authorized by permit
- December 1 to April no motorized except ATV on designated ATV trails unless authorized by permit

Section 18 Minnesota Statutes 240.16 amended

- C 15 of one percent of all gasoline except for aviation purposes is identified as being used by ATVs

Section 19 [APPROPRIATION]

- \$4,500,000 is appropriated from the ATV account through June 30, 1987 to administer Section 1 to 18. For the development and administration of trails under this act, the complement of the commissioner of natural resources is increased by two positions

Section 20 [EFFECTIVE DATE]

- This Act shall take effect July 1, 1985

PEN/jls-062485

State of Minnesota  
HOUSE OF REPRESENTATIVES

SEVENTY FOURTH {  
SESSION

H. F.

No. 1015



Introduced by Culson D. Begich, Battaglia and Rose  
Read First Time Mar 18 1985 and Referred to the Committee on  
Transportation  
Committee Recommendation and Adoption of Report  
To Pass as Amended and Referred to the Committee on  
Appropriations Apr 15 1985 To Pass as Amended May 15 1985  
Read Second Time May 15 1985

1                                   A bill for an act

2       relating to recreational vehicles regulating

3       all-terrain vehicles providing penalties

4       appropriating money amending Minnesota Statutes 1984

5       sections 84 92 84 922 subdivisions 1 3 5 6 7 8

6       and by adding subdivisions 84 925 84 927 84 928

7       85 018 100 273 subdivision 9 and 296 16

8       subdivision 1 proposing coding for new law in

9       Minnesota Statutes chapter 84

10

11   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA

12       Section 1   Minnesota Statutes 1984   section 84 92   is

13   amended to read

14       84 92 [DEFINITIONS ]

15       Subdivision 1   [SCOPE ] The definitions in this section

16   apply to sections 84 92 to 84 929 and Laws 1984 chapter 647

17   ~~sections 1 to section 9~~

18       Subd 1a   [AGRICULTURAL ZONE ] "Agricultural zone" means

19   the areas in Minnesota lying south and west of a line starting

20   at the Minnesota-North Dakota border and formed by rights-of-way

21   or trunk highway no 10 thence easterly along trunk highway no

22   10 to trunk highway no 23 thence easterly along trunk highway

23   no 23 to trunk highway no 95 thence easterly along trunk

24   highway no 95 to its termination at the Minnesota-Wisconsin

25   border

26       Subd 2   [COMMISSIONER ] "Commissioner" means the

27   commissioner of natural resources

1 Subd 3 [DEALER ] "Dealer" means a person engaged in the  
2 business of selling ~~three-wheel off-road~~ all-terrain vehicles at  
3 wholesale or retail -----

4 Subd 4 [MANUFACTURER ] "Manufacturer" means a person  
5 engaged in the business of manufacturing ~~three-wheel off-road~~  
6 all-terrain vehicles -----

7 Subd 5 [OWNER ] "Owner" means a person other than a  
8 person with a security interest having a property interest in  
9 or title to a ~~three-wheel off-road~~ an all-terrain vehicle and  
10 entitled to the use and possession of the vehicle -----

11 Subd 6 [PERSON ] "Person" means an individual or an  
12 organization as defined in section 336 1-201 paragraph (30)

13 Subd 7 [REGISTER ] "Register" means the act of assigning  
14 a registration number to a ~~three-wheel off-road~~ an all-terrain  
15 vehicle -----

16 Subd 8 [ALL-TERRAIN VEHICLE ] "~~Three-wheel off-road~~  
17 All-terrain vehicle" or "vehicle" means a motorized  
18 -----  
19 flotation-tired vehicle of not less than three low pressure  
20 tires but not more than six tires that is limited in engine  
21 displacement of less than 800 cubic centimeters and total dry  
22 weight less than 600 pounds

23 Sec 2 Minnesota Statutes 1984 section 84 922  
24 subdivision 1 is amended to read

25 Subdivision 1 [GENERAL REQUIREMENTS ] Unless exempted in  
26 subdivision 8 after January 1 1985 a person may not operate a  
27 ~~three-wheel off-road~~ an all-terrain vehicle within the state  
28 unless the vehicle has been registered After January 1 1985

29 a person may not sell a vehicle without furnishing the buyer a  
30 bill of sale on a form prescribed by the commissioner

31 Sec 3 Minnesota Statutes 1984 section 84 922  
32 subdivision 3 is amended to read

33 Subd 3 [REGISTRATION CARD ] The commissioner shall  
34 provide to the registrant a registration card that includes the  
35 registration number the date of registration the make and  
36 serial number of the vehicle the owner's name and address and  
additional information the commissioner may require

1 Information concerning each registration shall be retained by  
2 the commissioner. Upon a satisfactory showing that the  
3 registration card has been lost or destroyed the commissioner  
4 shall issue a replacement registration card upon payment of a  
5 fee of \$4. The fees collected from replacement registration  
6 cards shall be deposited in the ~~three-wheel off-road~~ all-terrain  
7 vehicle account.

8 Sec 4 Minnesota Statutes 1984 section 84 922  
9 subdivision 5 is amended to read

10 Subd 5 [FEES FOR REGISTRATION] (a) The fee for  
11 registration of each vehicle under this section shall be \$15 for  
12 three calendar years. The commissioner or commissioner of  
13 public safety shall charge an additional \$3 per registration  
14 granted other than those registered by a dealer or manufacturer  
15 under paragraph (b) or (c). is \$18 for three years and \$4 for a  
16 duplicate or transfer.

17 (b) The total registration fee for all-terrain vehicles  
18 owned by a dealer and operated for demonstration or testing  
19 purposes is \$50 per year. Dealer registrations are not  
20 transferable.

21 (c) The total registration fee for all-terrain vehicles  
22 owned by a manufacturer and operated for research testing  
23 experimentation or demonstration purposes is \$150 per year.  
24 Manufacturer registrations are not transferable.

25 (d) The fees collected under this subdivision shall must be  
26 credited to the ~~three-wheel off-road~~ all-terrain vehicle account.

7 Sec 5 Minnesota Statutes 1984 section 84 922  
8 subdivision 6 is amended to read

9 Subd 5 [RENEW-F] Every owner of a ~~three-wheel~~ all-terrain  
10 vehicle must renew registration in a manner  
11 prescribed by the commissioner upon payment of the registration  
12 fees in subdivision 5.

13 Sec 6 Minnesota Statutes 1984 section 84 922  
14 subdivision 7 is amended to read

15 Subd 7 [VEHICLES OWNED BY STATE OR POLITICAL  
16 SUBDIVISION] A registration number must be issued without the

1 payment of a fee for ~~three-wheel~~ all-terrain vehicles owned by  
2 the state or a political subdivision upon application  
3 Sec 7 Minnesota Statutes 1984 section 84 922  
4 subdivision 8 is amended to read ~  
5 Subd 8 [EXEMPTIONS ] A registration is not required for  
6 the following  
7 (1) vehicles being used for work exclusively on  
8 agricultural lands  
9 (2) vehicles owned and used by the United States another  
10 state or a political subdivision  
11 (3) vehicles covered by a valid license of another state or  
12 ~~county~~ country that have not been within this state for more  
13 than 30 consecutive days and  
14 (4) vehicles used exclusively in organized track racing  
15 events and  
16 (5) vehicles being used on private land with the permission  
17 of the landowner  
18 Sec 8 Minnesota Statutes 1984 section 84 922 is  
19 amended by adding a subdivision to read  
20 Subd 9 [LICENSING BY POLITICAL SUBDIVISIONS ] No  
21 political subdivision of this state shall require licensing or  
22 registration of all-terrain vehicles covered by sections 84 92  
23 to 84 929  
24 Sec 9 Minnesota Statutes 1984 section 84 922 is  
25 amended by adding a subdivision to read  
26 Subd 10 [REGISTRATION BY MINORS PROHIBITED ] No person  
27 under the age of 18 may register an all-terrain vehicle  
28 Sec 10 [84 924] [RULEMAKING ACCIDENT REPORT ]  
29 Subdivision 1 [COMMISSIONER OF NATURAL RESOURCES ] With a  
30 view of achieving proper use of all-terrain vehicles consistent  
31 with protection of the environment the commissioner of natural  
32 resources shall adopt rules under chapter 14 relating to  
33 (1) registration of all-terrain vehicles and display of  
34 registration numbers  
35 (2) use of all-terrain vehicles insofar as game and fish  
36 resources are affected

1 (3) of all-terrain vehicles on public lands and waters  
 2 under the jurisdiction of the commissioner of natural resources  
 3 (4) uniform signs to be used by the state, counties, and  
 4 cities necessary or desirable to control, direct, or regulate  
 5 the operation and use of all-terrain vehicles, and  
 6 (5) specifications relating to all-terrain vehicle mufflers.  
 7 Subd. 2. [COMMISSIONER OF PUBLIC SAFETY.] The commissioner  
 8 of public safety may adopt rules under chapter 14 regulating the  
 9 use of all-terrain vehicles on streets and highways.  
 10 Subd. 3. [ACCIDENT REPORT REQUIREMENT AND FORM.] The  
 11 operator of an all-terrain vehicle involved in an accident  
 12 resulting in injury requiring medical attention or  
 13 hospitalization to or death of a person or total damage to an  
 14 extent of \$100 or more shall promptly forward a written report  
 15 of the accident to the commissioner of natural resources on a  
 16 form prescribed by the commissioner.  
 17 Sec. 11. Minnesota Statutes 1984, section 84.925 is  
 18 amended to read  
 19 84.925. [EDUCATION AND TRAINING PROGRAM.]  
 20 Subdivision 1. [PROGRAM ESTABLISHED.] The commissioner  
 21 shall establish a comprehensive ~~three-wheel off-road~~ all-terrain  
 22 vehicle environmental and safety education and training program  
 23 including the preparation and dissemination of vehicle  
 24 information and safety advice to the public, the training of  
 25 ~~three-wheel off-road~~ all-terrain vehicle operators, and the  
 26 issuance of ~~three-wheel off-road~~ all-terrain vehicle safety  
 27 certificates to vehicle operators over the age of 12 years who  
 28 successfully complete the ~~three-wheel off-road~~ all-terrain  
 29 vehicle environmental and safety education and training course.  
 30 For the purpose of administering the program and to defray a  
 31 portion of the expenses of training and certifying vehicle  
 32 operators, the commissioner shall collect a fee of not to exceed  
 33 \$5 from each person who receives the training and shall deposit  
 34 the fee in the ~~three-wheel off-road~~ all-terrain vehicle  
 35 account. The commissioner shall cooperate with private  
 36 organizations and associations, private and public corporations,

1 and local governmental units in furtherance of the program  
2 established under this section The commissioner shall consult  
3 with the commissioner of public safety in regard to training  
4 program subject matter and performance testing that leads to the  
5 certification of vehicle operators

6 Subd 2 [YOUTHFUL OPERATORS ] (a) A person under the age  
7 of 14 years may not operate a ~~three-wheel off-road~~ an  
8 all-terrain vehicle on any public land or water under the  
9 jurisdiction of the commissioner unless accompanied by an adult  
10 on the vehicle or on an accompanying ~~three-wheel off-road~~  
11 all-terrain vehicle or on a device towed by the same or an  
12 accompanying ~~three-wheel off-road~~ all-terrain vehicle However  
13 a person 12 years of age or older may operate a ~~three-wheel~~  
14 ~~off-road~~ an all-terrain vehicle on public lands and waters under  
15 the jurisdiction of the commissioner if he has in his immediate  
16 possession a valid ~~three-wheel off-road~~ all-terrain vehicle  
17 safety certificate issued by the commissioner

18 (b) It is unlawful for the owner of a ~~three-wheel off-road~~  
19 an all-terrain vehicle to allow the vehicle to be operated  
20 contrary to the provisions of this section

21 Sec 12 [84 9254] [SIGNAL FROM OFFICER TO STOP ]

22 It is unlawful for an all-terrain vehicle operator after  
23 having received a visual or audible signal from a law  
24 enforcement officer to come to a stop to (1) operate an  
25 all-terrain vehicle in willful or wanton disregard of the signal  
26 to stop (2) interfere with or endanger the law enforcement  
27 officer or any other person or vehicle or (3) increase speed or  
28 attempt to flee or elude the officer

29 Sec 13 [84 9256] [YOUTHFUL OPERATORS PROHIBITION ]

30 Subdivision 1 [PROHIBITIONS ON YOUTHFUL OPERATORS ] (a)  
31 Despite section 84 928 to the contrary a person under 12 years  
32 of age shall not make a direct crossing of a trunk count/  
33 state-aid or county highway as the operator of an all-terrain  
34 vehicle or operate the vehicle upon a street or highway within  
35 a municipality

36 (b) A person 12 years of age but less than 14 years may

1 make a direct crossing of a trunk county state aid or county  
2 highway only if that person possesses a valid all-terrain  
3 vehicle safety certificate and is accompanied by a person over  
4 18 years of age. A person under the age of 14 years shall not  
5 operate an all-terrain vehicle on public land or water under the  
6 jurisdiction of the commissioner unless accompanied by one of  
7 the following listed persons on the same vehicle if designed  
8 for more than one person or an accompanying all-terrain  
9 vehicle the person's parent legal guardian or other person  
10 18 years of age or older.

11 However a person 12 years of age or older may operate an  
12 all-terrain vehicle on public lands and waters under the  
13 jurisdiction of the commissioner if that person possesses a  
14 valid all-terrain vehicle safety certificate issued by the  
15 commissioner.

16 (c) A person 14 years of age or older but less than 16  
17 years of age may make a direct crossing of a trunk county  
18 state-aid or county highway only if that person possesses a  
19 valid all-terrain vehicle safety certificate issued by the  
20 commissioner or a valid motor vehicle operator's license.

21 Subd 2 [HELMET REQUIRED] A person less than 16 years of  
22 age shall not operate an all-terrain vehicle on public land  
23 unless wearing a safety helmet approved by the commissioner of  
24 public safety.

25 Subd 3 [PROHIBITIONS ON OWNER] It is unlawful for the  
26 owner of an all-terrain vehicle to permit it to be operated  
27 contrary to this section.

28 Subd 4 [SUSPENSION] When the judge of a juvenile court  
29 or its duly authorized agent determines that a person while  
30 less than 18 years of age has violated sections 8 92 to  
31 84 929 or other state or local law or ordinance regulating the  
32 operation of an all-terrain vehicle the judge or duly  
33 authorized agent shall immediately report the determination to  
34 the commissioner and (1) may recommend the suspension of the  
35 person's all-terrain vehicle safety certificate or (2) may  
36 recommend to the commissioner of public safety the suspension

1 of the person's driver's license The commissioner may suspend  
 2 the certificate without a hearing  
 -----

3 Sec 14 Minnesota Statutes 1984 section 84 927 is  
 4 amended to read

5 84 927 [REGISTRATION FEES UNREFUNDED GASOLINE TAX  
 6 ALLOCATION ]

7 Subdivision 1 [REGISTRATION REVENUE ] Fees from the  
 8 registration of ~~three-wheel off-road~~ all-terrain vehicles and  
 9 the unrefunded gasoline tax attributable to vehicle use under  
 10 section 296 16 shall be deposited in the state treasury and  
 11 credited to the ~~three-wheel off-road~~ all-terrain vehicle account  
 -----

12 Subd 2 [PURPOSES ] Subject to appropriation by the  
 13 legislature money in the ~~three-wheel off-road~~ all-terrain  
 14 vehicle account may only be spent for the following purposes

15 (1) the education and training program under section 84 925

16 (2) administration and implementation of sections 84 92 to  
 17 84 929 and Laws 1984 chapter 647 sections 1 to 9 and 10 and  
 -----

18 (3) acquisition maintenance and development of vehicle  
 19 trails and use areas  
 -----

20 (4) grant-in-aid programs to counties and municipalities to  
 21 construct and maintain all-terrain vehicle trails and use areas  
 22 and  
 ---

23 (5) grants in-aid to local safety programs  
 -----

24 The distribution of funds made available through  
 25 grant-in-aid programs must be guided by the statewide  
 26 comprehensive outdoor recreation plan  
 -----

27 Sec 15 Minnesota Statutes 1981 section 84 928 is  
 28 amended to read

29 84 928 [OPERATION ON STREETS AND HIGHWAYS BY FOUR WHEEL  
 30 LOCAL REGULATION ]  
 -----

31 Subdivision 1 [OPERATION ON STREETS AND HIGHWAYS ] Except  
 32 as provided in chapter 168 or in this section- a three-wheel

33 off-road vehicle may not be driven or operated on a highway (a)  
 -----

34 A person shall not operate an all-terrain vehicle upon the  
 35 roadway shoulder or inside bank or slope of a trunk county  
 36 state-aid or county highway in this state and in the case of a  
 -----

1 divided trunk or county highway on the right-of-way between the  
 2 opposing lanes of traffic except as provided in sections 84 92  
 3 to 84 929 A person shall not operate an all-terrain vehicle  
 4 within the right-of-way of a trunk county state-aid or county  
 5 highway from April 1 to August 1 in the agricultural zone unless  
 6 the vehicle is being used exclusively as transportation to and  
 7 from work on agricultural lands A person shall not operate an  
 8 all-terrain vehicle within the right-of-way of a trunk county  
 9 state-aid or county highway between the hours of one-half hour  
 10 after sunset to one-half hour before sunrise except on the  
 11 right-hand side of the right-of-way and in the same direction as  
 12 the highway traffic on the nearest lane of the adjacent  
 13 roadway A person shall not operate an all-terrain vehicle at  
 14 any time within the right-of-way of an interstate highway or  
 15 freeway within this state

16 A (b) An all-terrain vehicle may make a direct crossing of  
 17 a street or highway provided

18 (1) the crossing is made at an angle of approximately 90  
 19 degrees to the direction of the highway and at a place where no  
 20 obstruction prevents a quick and safe crossing

21 (2) the vehicle is brought to a complete stop before  
 22 crossing the shoulder or main traveled way of the highway

23 (3) the driver yields the right of way to all oncoming  
 24 traffic that constitutes an immediate hazard

25 (4) in crossing a divided highway the crossing is made  
 26 only at an intersection of the highway with another public  
 27 street or highway and

28 (5) if the crossing is made between the hours of one-half  
 29 hour after sunset to one-half hour before sunrise  
 30 conditions require a visibility only if of or less than  
 31 lights are on

32 (c) An all-terrain vehicle may be operated upon a bridge  
 33 other than a bridge that is part of the main traveled lanes of  
 34 an interstate highway when required for the purpose of avoiding  
 35 obstructions to travel when no other method of avoidance is  
 36 possible provided the all-terrain vehicle is operated in the

1 extreme high and lane the entrance to the roadway is made  
 2 within 100 feet of the bridge and the crossing is made without  
 3 undue delay

4 (d) A person shall not operate an all-terrain vehicle upon  
 5 a public street or highway unless the vehicle is equipped with  
 6 at least one headlight and one taillight each of minimum  
 7 candlepower as prescribed by rules of the commissioner with  
 8 reflector material of a minimum area of 16 square inches mounted  
 9 on each side forward of the handlebars and with brakes  
 10 conforming to standards prescribed by rule of the commissioner  
 11 and all of which are subject to the approval of the commissioner  
 12 of public safety

13 (e) An all-terrain vehicle may be operated upon a public  
 14 street or highway other than as provided by paragraph (b) in an  
 15 emergency during the period of time when and at locations where  
 16 the condition of the roadway renders travel by automobile  
 17 impractical

18 (f) Chapter 169 applies to the operation of all-terrain  
 19 vehicles upon streets and highways except for those provisions  
 20 relating to required equipment and except those provisions which  
 21 by their nature have no application

22 (g) A sled trailer or other device being towed by an  
 23 all-terrain vehicle must be equipped with reflective materials  
 24 as required by rule of the commissioner

25 Subd 2 [OPERATION GENERALLY] It is unlawful for a  
 26 person to drive or operate an all-terrain vehicle  
 27 (1) at a rate of speed greater than reasonable or proper  
 28 under the surrounding circumstances

29 (2) in a careless, reckless or negligent manner so as to  
 30 endanger or to cause injury or damage to the person or property  
 31 of another

32 (3) without headlight and taillight lighted at all times  
 33 (4) without a functioning stoplight or  
 34 (5) in a tree nursery or planting in a manner which damages  
 35 or destroys growing stock

36 Subd 3 [OPERATING UNDER INFLUENCE]

1 CONTROLLED SUBSTANCE ] A person may not operate or be in control  
 2 of an all-terrain vehicle while under the influence of alcohol  
 3 as provided in section 169 121 subdivision 1 or a controlled  
 4 substance defined in section 152 01 subdivision 1. A person  
 5 violating this subdivision is guilty of a crime and is  
 6 punishable in accordance with the provisions of section 169 121  
 7 subdivisions 3 and 4.

8 Subd 4 [OPERATION PROHIBITED ON AIRPORTS ] It is  
 9 unlawful for a person to drive or operate an all-terrain vehicle  
 10 on an airport defined in section 360 013 subdivision 5.

11 Subd 5 [ORGANIZED CONTESTS USE OF HIGHWAYS AND PUBLIC  
 12 LANDS AND WATERS ] Nothing in this section or chapter 169  
 13 prohibits the use of all-terrain vehicles within the right of  
 14 way of a state trunk or county state-aid highway or upon public  
 15 lands or waters under the jurisdiction of the commissioner of  
 16 natural resources in an organized contest subject to the  
 17 consent of the official or board having jurisdiction over the  
 18 highway or public lands or waters.

19 In permitting the contest the official or board having  
 20 jurisdiction may prescribe restrictions or conditions as they  
 21 may deem advisable.

22 Subd 6 [REGULATIONS BY POLITICAL SUBDIVISIONS ] Despite  
 23 any provision in this section to the contrary a county board  
 24 by resolution may permit the operation of all-terrain vehicles  
 25 upon the roadway shoulder or inside bank or slope of a county  
 26 highway or county state-aid highway if the roadway is in the  
 27 agricultural zone or if safe operation in the ditch or outside  
 28 bank or slope of the highway is impossible. In such case the  
 29 county board shall provide appropriate notice.

30 A county or city or a town acting by resolution may  
 31 regulate the operation of all-terrain vehicles on public lands  
 32 waters and property under its jurisdiction and on streets and  
 33 highways within its boundaries by resolution or ordinance of  
 34 the governing body and by giving appropriate notice provided  
 35 the regulations are consistent with sections 84 92 to 84 929 and  
 36 rules adopted under section 10. However the local governmental

1 unit may not at an ordinance which (1) impose fee for the  
2 use of public land or water under the jurisdiction of either the  
3 department of natural resources or other agency of the state or  
4 for the use of an access to it owned by the state or a county or  
5 city or (2) requires an all-terrain vehicle operator to possess  
6 a motor vehicle driver's license while operating an all-terrain  
7 vehicle

8 Subd 7 [LIABILITY TO ROAD OR TRAIL AUTHORITY] When a  
9 road trail or highway right-of-way is used as provided by  
10 sections 84 92 to 84 928 85 018 100 273 subdivision 9 and  
11 29b 16 the authority having jurisdiction and the officers and  
12 employees of the authority are exempt from liability for any  
13 claim by any person arising from that use This section shall  
14 have no effect on the liability of any party or organization  
15 having responsibility for the maintenance of a trail or roadway  
16 for all-terrain vehicles

17 Sec 16 Minnesota Statutes 1984 section 85 018 is  
18 amended to read

19 85 018 [TRAIL USE VEHICLES REGULATED RESTRICTED]

20 Subdivision 1 [DEFINITIONS] For the purposes of this  
21 section-

22 (a) "Trail" means a recreational trail which is funded in  
23 whole or in part by state grants-in-aid to a local unit of  
24 government

25 (b) "Commissioner" means the commissioner of the state  
26 agency from which the grants-in-aid are received

27 Subd 2 [AUTHORITY OF LOCAL GOVERNMENT] (a) A local  
28 government unit that receives state grants-in-aid for any trail  
29 with the concurrence of the commissioner and the landowner or  
30 land lease may

31 (a) (1) designate the trail for use by snowmobiles or for  
32 nonmotorized use from December 1 to April 1 of any year and

33 (b) (2) issue any permit required under subdivisions 3 to 5

34 (b) A local government unit that receives state  
35 grants-in-aid under section 84 927 subdivision 2 for any  
36 trail with the concurrence of the commissioner

1 or land lessee may  
-----

2 (1) designate the trail specifically for use at various  
-----  
3 times of the year by all-terrain vehicles for nonmotorized use  
-----  
4 such as ski touring snowshoeing and hiking and for multiple  
-----  
5 use but not for motorized and nonmotorized use at the same  
-----  
6 time and  
-----

7 (2) issue any permit required under subdivisions 3 to 5  
-----

8 (c) A local unit of government that receives state  
-----  
9 grants-in-aid for any trail with the concurrence of the  
-----  
10 commissioner and landowner or land lessee may designate certain  
-----  
11 trails for joint use by snowmobiles and all-terrain vehicles  
-----

12 Subd 3 [MOTORIZED USE PERMITS RESTRICTIONS] ~~Motorized~~  
-----

13 ~~use of trails shall be allowed only by permit between April 2~~  
14 ~~and November 30 of any year~~ Permits may be issued for motorized  
-----  
15 vehicles other than those designated to use a trail designated  
-----  
16 for use by snowmobiles or all-terrain vehicles Notice of the  
-----  
17 permit must be conspicuously posted at the expense of the  
-----  
18 permit holder at no less than one-half mile intervals along the  
-----  
19 trail for the duration of the permit Permits shall require  
-----  
20 that permit holders return the trail and any associated facility  
21 to their original condition if any damage is done by the  
22 permittee Limited permits for special events such as races may  
23 be issued and shall require the removal of any trail markers  
24 banners and other material used in connection with the special  
25 event

26 Subd 4 [NONMOTORIZED USE TRAILS- WINTER] ~~From December~~  
-----

27 ~~1 to April 1 of any year~~ No motorized vehicle shall be operated  
28 on a trail designated for nonmotorized use such as ski touring  
29 or snowshoe use

30 Subd 5 [SNOWMOBILE AND ALL-TERRAIN VEHICLE TRAILS  
-----

31 RESTRICTED] (a) From December 1 to April 1 in any year no use  
-----

32 of a motorized vehicle other than a snowmobile unless  
33 authorized by permit lease or easement shall be permitted on a  
34 trail designated for use by snowmobiles

35 (b) From December 1 to April 1 in any year no use of a  
-----

36 motorized vehicle other than an all-terrain vehicle unless  
-----

1 authorized b      imit shall be permitted on a t      l designated  
 2 -----  
 3 for use by all-terrain vehicles  
 4 -----  
 5 Subd 6 [EXCEPTIONS ] The following motor vehicles are  
 6 exempt from the provisions of subdivisions 3 to 5  
 7 (a) military fire emergency or law enforcement vehicles  
 8 used for official or emergency purposes  
 9 (b) vehicles registered to the county state or federal  
 10 government  
 11 (c) vehicles authorized by permit lease or contract  
 12 (d) vehicles owned by private persons engaged in the upkeep  
 13 and maintenance of the trail systems under the direction of the  
 14 local unit of government that manages the trail and  
 15 (e) vehicles registered to or operated with the permission  
 16 of a land owner on whose lands the trail system has been  
 17 constructed but only with respect to operation on the land of  
 18 that owner  
 19 Subd 7 [STREETS AND HIGHWAYS ] This section does not  
 20 apply to any portion of a trail located on any street or highway  
 21 as defined in section 169 01  
 22 Subd 8 [ENFORCEMENT ] The provisions of this section may  
 23 be enforced by officers of the department of natural resources  
 24 as provided in section 97 50  
 25 Sec 17 Minnesota Statutes 1984 section 100 2/3  
 26 subdivision 9 is amended to read  
 27 Subd 9 Violation of any provision of this section is a  
 28 misdemeanor Upon a person's conviction for violating any  
 29 provision of this section any license issued to him pursuant to  
 30 chapter 98 or any registration pursuant to section 84 82 or  
 31 84 922 under which he was exercising or attempting to exercise  
 32 -----  
 33 a privilege while violating this section shall immediately  
 34 become null and void  
 35 Sec 18 Minnesota Statutes 1984 section 296 16  
 36 subdivision 1 is amended to read  
 37 Subdivision 1 [INCENT ] All gasoline received in this  
 38 state and all gasoline produced in or brought into the state  
 39 except aviation gasoline and marine gasoline

1 to be intended for use in motor vehicles in this state

2 Approximately three-fourths of one percent of all gasoline  
3 received in this state and three-fourths of one percent of all  
4 gasoline produced or brought into this state except gasoline  
5 used for aviation purposes is being used as fuel for the  
6 operation of motor boats on the waters of this state and of the  
7 total revenue derived from the imposition of the gasoline fuel  
8 tax or uses other than in motor boats three-fourths of one  
9 percent of such revenues is the amount of tax on fuel used in  
10 motor boats operated on the waters of this state

11 Approximately three-fourths of one percent of all gasoline  
12 received in and produced or brought into this state except  
13 gasoline used for aviation purposes is being used as fuel for  
14 the operation of snowmobiles in this state and of the total  
15 revenue derived from the imposition of the gasoline fuel tax for  
16 uses other than in snowmobiles three-fourths of one percent of  
17 such revenues is the amount of tax on fuel used in snowmobiles  
18 operated in this state

19 Approximately 0.15 of one percent of all gasoline received  
20 in or produced or brought into this state except gasoline used  
21 for aviation purposes is being used for the operation of  
22 all-terrain vehicles also known as three-wheel off-road  
23 vehicles in this state and of the total revenue derived from  
24 the imposition of the gasoline fuel tax 0.15 of one percent of  
25 such revenues is the amount of tax on fuel used in all-terrain  
26 vehicles operated in this state

27 Sec 19 [APPROPRIATION ]

28 \$175,000 is appropriated from the all-terrain vehicle  
29 account to the commissioner of natural resources to be  
30 expended ending June 30, 1987 to administer the act  
31 for the development and administration of trails and to act  
32 the complement of the commissioner of natural resources is  
33 increased by two positions

34 Sec 20 [EFFECTIVE DATE ]

35 This act is effective July 1, 1985



**National  
Safety  
Council**

**National Safety Council**  
**CONGRESS & EXPOSITION**  
CON EXPO '85 OCT 28 31  
movin on to  
Chicago

#### TESTIMONY

#### CONSUMER PRODUCT SAFETY COMMISSION HEARING ON

#### ALL-TERRAIN VEHICLE SAFETY

September 3, 1985

My name is William J Fletcher, I am an agricultural safety engineer employed by the National Safety Council, 444 North Michigan Avenue, Chicago, Illinois 60611

The National Safety Council is concerned about reports of serious injuries being incurred by users of all-terrain vehicles but does not have data or statistics not already entered into the record of this and previous hearings. We do wish to affirm our desire to assist in the mitigation of hazards arising out of the use of these vehicles whether for recreation or work.

I participated in the ATV Rider Course held near Sycamore, Illinois on August 22, 1985. The training was extremely helpful in understanding the operation of the vehicle and greatly extends my awareness of the enthusiasm shown by ATV operators. The ride is demanding.

At the current time the National Safety Council is planning two publications addressing the safe use of ATVs. The Agricultural Department is preparing a Rural Accident Prevention Bulletin - SAFE USE OF ATVs IN AGRICULTURAL WORK. This bulletin will emphasize the importance of maintenance and pre-ride checks of the vehicle. Although basic riding skills will be discussed, participation in an organized rider training course will be urged. The remainder of the publication will be devoted to agricultural applications and how they may affect safe operation of the vehicle and the implements being used.

The second production will be a booklet-SAFE OPERATION OF ALL-TERRAIN VEHICLES-ATVs (tentative title). Although directed primarily at the recreational user, it will touch on the agricultural and industrial uses made of the machines. It also will urge participation in organized safety training. The text and illustrations will offer a review of riding practice techniques and maintenance check-points. Use of protective gear is stressed. Preparation for the riding environment and advanced planning is a high priority in this guide.

The National Safety Council hopes that these publications in the hands of both potential and current ATV operators will contribute to rider safety awareness.

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. DVS 12  
Chap 69 W & Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE **NOV -1 83 024775**  
STATE DEATH NO

LOCAL FILE NUMBER <b>340</b>		DECEDENT NAME <b>John C. REITZELL</b>		SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	DATE OF DEATH <b>October 24, 1983</b>
RACE <b>White</b>		AGE <b>12</b>	UNDER 1 YEAR <input type="checkbox"/> Y <input type="checkbox"/> N	DATE OF BIRTH <b>August 25, 1971</b>	COUNTY OF DEATH <b>Rock</b>
CITY VILLAGE OR TOWNSHIP OF DEATH <b>Beloit</b>		HOSPITAL OR OTHER INSTITUTION <b>Beloit Memorial hospital</b>			IF HOSP OR INST <input type="checkbox"/> DOA <input checked="" type="checkbox"/> OP/Em Rm
STATE OF BIRTH <b>Virginia</b>		CITIZEN OF WHAT COUNTRY <b>USA</b>	MARITAL STATUS <input type="checkbox"/> M <input checked="" type="checkbox"/> S <input type="checkbox"/> W <input type="checkbox"/> D		SURVIVING SPOUSE <b>none</b>
SOCIAL SECURITY NUMBER <b>NONE</b>		USUAL OCCUPATION <b>Student</b>		KIND OF BUSINESS OR INDUSTRY <b>Elementary School</b>	
RESIDENCE STATE <b>Wisconsin</b>		COUNTY <b>Rock</b>	CITY VILLAGE OR TOWNSHIP OF RESIDENCE <b>Beloit</b>	INSIDE CITY OR VILLAGE LIMITS <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	STREET AND NUMBER <b>1801 Vista</b>
FATHER NAME <b>Chuck Reitzell</b>		MOTHER MAIDEN NAME <b>Katie Williams</b>			
INFORMANT NAME (Typ P) <b>Mr. Chuck Reitzell</b>		MAILING ADDRESS <b>1801 Vista Beloit Wisconsin 53511</b>			
CEMETERY OR CREMATORY NAME <b>Mt. Thabor</b>		LOCATION <b>Beloit, Wisconsin</b>			
FUNERAL SERVICE LICENSEE <b>Dale Murphy</b>		NAME OF FACILITY <b>Dale Murphy Wisch</b>			
ADDRESS OF FACILITY <b>816 E. Grand Ave. Beloit, WI 53511</b>					
DATE SIGNED <b>October 25, 1983</b>		HOUR OF DEATH <b>5:30 P.M.</b>		PRONOUNCED DEAD <b>October 24, 1983</b>	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) <b>RICHARD E. McCANL, 1721 MORRAN TERRACE, BELLOIT WIS 53511</b>					
REGISTRAR <b>[Signature]</b>		DATE RECEIVED BY REGISTRAR <b>OCT 28 1983</b>			
IMMEDIATE CAUSE <b>Fractured ribs/multiple traumatic injuries</b>		50 minutes			
DUE TO OR AS A CONSEQUENCE OF <b>(b) DUE TO OR AS A CONSEQUENCE OF</b>					
OTHER SIGNIFICANT CONDITIONS <b>Part II</b>		AUTOPSY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
DATE OF INJURY <b>OCTOBER 24, 1983</b>		HOUR OF INJURY <b>4:40 P.M.</b>		DESCRIBE HOW INJURY OCCURRED <b>motorcyclist</b>	
PLACE OF INJURY <b>State Highway</b>		LOCATION <b>Crash And - Sec. 17, Turtle Town, Rock, Wis</b>			

by Authority of the  
State P trar **28d** **RP**  
Item(s) **MR**

542  
24

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. D VS 12  
Chap 69 W s Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO

SEP 12 03020438

LOCAL FILE NUMBER

DECEASED	DECEDENT NAME F I M d d l L I		SEX	DATE OF DEATH			
	Donald Charles LAUTENBACH		<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> M	Sept. 4 1983			
	RACE (g wh B k H o Am I d n i)	AGE L B nd y	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH	COUNTY OF DEATH	INSIDE CITY OR VILLAGE LIMITS
	White	13			July 18 1970	Door	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
PARENTS	CITY VILLAGE OR TOWNSHIP OF DEATH		HOSPITAL OR OTHER INSTITUTION - N m H p i N g h m Oth i		IF HOSP OR INST		
	Twp. Egg Harbor		County G Door County, Wis		<input type="checkbox"/> DOA <input type="checkbox"/> OP/Em Rm <input type="checkbox"/> I		
	STATE OF BIRTH (U o U S A m o v)	CITIZEN OF WHAT COUNTRY	MARITAL STATUS		SURVIVING SPOUSE (H w f g m d m)		
	Wisconsin	U.S.A.	<input type="checkbox"/> 1 M d <input checked="" type="checkbox"/> 4 N M ed <input type="checkbox"/> 2 S d <input type="checkbox"/> 3 D d <input type="checkbox"/> 5 W dow d		None		
BURIAL	SOCIAL SECURITY NUMBER		USUAL OCCUPATION (g k d of wo k d d g mo of w k g)		KIND OF BUSINESS OR INDUSTRY		
	None						
	RESIDENCE STATE	COUNTY	CITY VILLAGE OR TOWNSHIP OF RESIDENCE	INSIDE CITY OR VILLAGE LIMITS	STREET AND NUMBER		
	Wisconsin	Door	Twp Egg Harbor	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Route 1		
CERTIFICATION	FATHER NAME F M d d l L I		MOTHER MAIDEN NAME F M d d l L I				
	Daniel Lautenbach		Janet Dagneau				
	INFORMANT NAME (T y p o P )		MAILING ADDRESS S R F D N C y V i l l g S Z p				
	Daniel Lautenbach		Route 1, Egg Harbor, Wisconsin 54209				
CAUSE	CEMETERY OR CREMATORY NAME		LOCATION C i v V i l l g S t i				
	St. John the Baptist Cem		Egg Harbor, Wisconsin				
	FUNERAL SERVICE LICENSEE S g		NAME OF FACILITY		ADDRESS OF FACILITY S R F D N C i v V i l l g S i Z p		
	Robert H. Davis		Davis Mortuary		1414 Michigan St., Sturgeon Bay, Wis 54235		
ACCIDENT	DATE SIGNED		HOUR OF DEATH		DATE SIGNED		
	Sept 7 1983		2 30 p m		Sept 7 1983		
	NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (T y p P )		PRONOUNCED DEAD		PRONOUNCED DEAD (H )		
	William Faller, M D		Sept 4 1983		4 00 p m		
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAM NER OR CORONER) (T y P )							
William Faller, M D 330 S 16th Pl Sturgeon Bay, WI 54235							
PART II	REGISTRAR		DATE RECEIVED BY REGISTRAR				
	Dorella Meyer Registrar of Deaths		Sept 7, 1983				
	IMMEDIATE CAUSE		REMARKS (ONE CAUSE PER LINE FOR ( ) (b) AND ( ) )				
	(a) Intracerebral hemorrhage, severe		seconds				
DUE TO OR AS A CONSEQUENCE OF		seconds					
Multiple skull fractures		seconds					
DUE TO OR AS A CONSEQUENCE OF							
PART II OTHER SIGNIFICANT CONDITIONS C d t b g d h b t i d t o g PART I ( )							
AUTOPSY							
WAS MEDICAL EXAMINER OR CORONER NOTIFIED?							
25 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 27 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No							
DATE OF INJURY		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED			
Sept 4 1983		2 30 p m		motorcyclist			
INJURY AT WORK		PLACE OF INJURY (Specify)		LOCATION			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		County highway EGG HARBOR TWP		County G Door County WIS			

by authority of the  
State Registrar  
item(s) 28d per MVR  
8212 Change

543  
24

Type or Print in  
Permanent Black  
Ink

FORM No VS 12  
100M REV 1 78

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE SEP 883020303  
STATE DEATH NO

LOCAL FILE NUMBER 63

DECEDENT NAME Donna Kay GEBERT		SEX <input type="checkbox"/> M <input checked="" type="checkbox"/> F	DATE OF DEATH August 14, 1983
RACE White	AGE 14	DATE OF BIRTH October 31, 1968	COUNTY OF DEATH Taylor
CITY VILLAGE OR TOWNSHIP OF DEATH City of Medford		HOSPITAL OR OTHER INSTITUTION Memorial Hospital of Taylor County	IF HOSP OR INST <input type="checkbox"/> DOA <input type="checkbox"/> OP/Eme Rm <input type="checkbox"/> I p
STATE OF BIRTH Wisconsin	CITIZEN OF WHAT COUNTRY USA	MARITAL STATUS <input checked="" type="checkbox"/> M d <input type="checkbox"/> S p <input type="checkbox"/> W d <input type="checkbox"/> S widow	SURVIVING SPOUSE None
SOCIAL SECURITY NUMBER None		USUAL OCCUPATION Student	KIND OF BUSINESS OR INDUSTRY Junior High School
RESIDENCE STATE Wisconsin	COUNTY Taylor	CITY VILLAGE OR TOWNSHIP OF RESIDENCE City of Medford	STREET AND NUMBER 960 S Gibson St
FATHER NAME Melvin		MOTHER MAIDEN NAME Patricia Habermayer	
INFORMANT NAME Melvin Gebert		MAILING ADDRESS 960 S Gibson St Medford WI 54451	
CEMETERY OR CREMATORY NAME St Mary's Cemetery		LOCATION Little Black Wisconsin	
FUNERAL SERVICE LICENSEE Jeffrey S. Klemm		NAME OF FACILITY Hemer F S, Inc	ADDRESS OF FACILITY 555 W Cedar St, Medford, WI 54451
DATE SIGNED Aug 16 1983		HOUR OF DEATH 4 40 P M	
NAME OF ATTENDING PHYSICIAN DR MILAN KANCA		PRONOUNCED DEAD Aug 14 1983	PRONOUNCED DEAD (H) 4 45 P M
NAME AND ADDRESS OF CERTIFIER VINCO CAMERON MD, 880 Malibu Drive MEDFORD WISC 54451			
REGISTRAR Donna Goodman		DATE RECEIVED BY REGISTRAR Aug 16, 1983	
IMMEDIATE CAUSE (a) Massive Head injury		few minutes	
(b) multiple skull fractures		seconds	
(c) Three wheeler Accident		seconds	
OTHER SIGNIFICANT CONDITIONS GRAVEL PIT (MELVIN)		AUTOPSY <input checked="" type="checkbox"/> Y <input type="checkbox"/> No	WAS MEDICAL EXAMINER OR CORONER NOTIFIED? <input checked="" type="checkbox"/> Y <input type="checkbox"/> No
DATE OF INJURY Aug 14 1983		HOUR OF INJURY M	DESCRIBE HOW INJURY OCCURRED Fell at speed and the three wheeler fell on her head
INJURY AT WORK <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		PLACE OF INJURY GRAVEL PIT (MELVIN)	LOCATION S Gibson street, medford wisc.

01 01

8218

2 4  
20

Type or Print in  
Permanent Black  
Ink

FORM No. VS 12  
100M REV 1 78

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO. **JAN 17 83 000342**

Res d to  
Cod ng

LOCAL FILE NUMBER

DECEASED  
1 DECEASED NAME Ernest Wayne PETERSEN 2 SEX ☒ M ☐ F 3 DATE OF DEATH January 5, 1983

4 RACE (e.g. Wh, Bl, k, H, p, n, Am, Id, t) White 5 AGE L 1 B th d y 44 UNDER 1 YEAR UNDER 1 DAY 6 DATE OF BIRTH February 20, 1938 7 COUNTY OF DEATH Waupaca 8 INSIDE CITY OR VILLAGE LIMITS ☐ Y ☒ No

9 CITY VILLAGE OR TOWNSHIP OF DEATH Township of Royalton 10 HOSPITAL OR OTHER INSTITUTION - N m ☐ Ho p ☐ N gh m ☐ Oh int t (if no of these g d mb l) White Lake 11 IF HOSP OR INST ☐ DOA ☐ OP/Em Rm ☐ I p

12 STATE OF BIRTH (if o U.S.A. n me t y) Wisconsin 13 CITIZEN OF WHAT COUNTRY USA 14 MARITAL STATUS ☒ 1 M d ☐ 4 N M ed ☐ 2 S p d ☐ 5 W dowed 15 SURVIVING SPOUSE (if w t g m d m) Mary Ann Johnson 16 WAS DECEDENT EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No

17 SOCIAL SECURITY NUMBER 391-36-1739 18 USUAL OCCUPATION (g k nd of wo k d d ng mo t of w k g) Farmer 19 KIND OF BUSINESS OR INDUSTRY Dairy Farming

20 RESIDENCE STATE Wisconsin 21 COUNTY Waupaca 22 CITY VILLAGE OR TOWNSHIP OF RESIDENCE Township of Iola 23 INSIDE CITY OR VILLAGE LIMITS ☐ Y ☒ No 24 STREET AND NUMBER R2, Box 294

25 FATHER NAME Walter Petersen 26 MOTHER MAIDEN NAME Blanche Rice

27 INFORMANT NAME (Typ o P t) Mary Ann Petersen 28 MAILING ADDRESS Route 2, Box 294 Iola WI 54945

29 CEMETERY OR CREMATORY NAME Our Savior's Lutheran 30 LOCATION Iola WI

31 FUNERAL SERVICE LICENSES OF S g n A t g A S h 32 NAME OF FACILITY Vole Funeral Home 33 ADDRESS OF FACILITY 120 S Main St., Iola, WI 54945

34 DATE SIGNED 35 HOUR OF DEATH 36 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P t) 37 DATE SIGNED 38 HOUR OF DEATH

39 NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Typ o P t) 40 DATE RECEIVED BY REGISTRAR

41 REGISTRAR Jean Bruner RD 42 DATE RECEIVED BY REGISTRAR Jan 10, 1983

43 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR ( ) (b) AND ( ) ) 44 PART I Co dition f y whi h g e to Imm d C t t ng the nd t y ng use l st

45 PART II OTHER SIGNIFICANT CONDITIONS Co dition o t b t g o d th b t not l t d t o g n PART I ( ) 46 AUTOPSY ☐ Yes ☒ No 47 WAS MEDICAL EXAMINER OR CORONER NOTIFIED? ☒ Yes ☐ No

48 DATE OF INJURY January 5, 1983 49 HOUR OF INJURY 7:02 p.m. 50 DESCRIBE HOW INJURY OCCURRED 3-wheel vehicle went thru thin ice (passenger)

51 INJURY AT WORK ☐ Yes ☒ No 52 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 53 LOCATION Route 1, Weyauwega, Wis. 54983

54 INJURY AT WORK ☐ Yes ☒ No 55 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 56 LOCATION Route 1, Weyauwega, Wis. 54983

57 INJURY AT WORK ☐ Yes ☒ No 58 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 59 LOCATION Route 1, Weyauwega, Wis. 54983

60 INJURY AT WORK ☐ Yes ☒ No 61 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 62 LOCATION Route 1, Weyauwega, Wis. 54983

63 INJURY AT WORK ☐ Yes ☒ No 64 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 65 LOCATION Route 1, Weyauwega, Wis. 54983

66 INJURY AT WORK ☐ Yes ☒ No 67 PLACE OF INJURY At hom f m t facto y off b liding tc White Lake 68 LOCATION Route 1, Weyauwega, Wis. 54983

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. D VS 12  
Chap 69 W Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO

AUG 30 83019462

LOCAL FILE NUMBER		DECEDENT NAME		SEX		DATE OF DEATH	
		MICHAEL HECKNER		M		July 30, 1983	
RACE (g wh bk l d)		AGE (L B nd y)		UNDER 1 YEAR		DATE OF BIRTH	
White		24				December 2, 1958	
CITY VILLAGE OR TOWNSHIP OF DEATH		HOSPITAL OR OTHER INSTITUTION		COUNTY OF DEATH		INSIDE CITY OR VILLAGE LIMITS	
Waupaca		Riverside Community Memorial Hosp		Waupaca		Yes	
STATE OF BIRTH (U S A m o v y)		CITIZEN OF WHAT COUNTRY		MARRIAGE STATUS		SURVIVING SPOUSE (If w f g m d m)	
Wisconsin		U S A		Single		Susan Spilski	
SOCIAL SECURITY NUMBER		USUAL OCCUPATION		KIND OF BUSINESS OR INDUSTRY		WAS DECEDENT EVER IN U.S. ARMED FORCES?	
394 - 74 - 3545		Security Guard		Cain Service		No	
RESIDENCE STATE		COUNTY		CITY VILLAGE OR TOWNSHIP OF RESIDENCE		STREET AND NUMBER	
Wisconsin		Winnebago		Town of Menasha		957 Paradise Lane	
FATHER NAME		MOTHER MAIDEN NAME		INFORMANT NAME (Typ P)		MAILING ADDRESS	
Charles Heckner		Lois Madsen		Susan Heckner		957 Paradise Lane Menasha Wisconsin 54952	
CEMETERY OR CREMATORY NAME		LOCATION		FUNERAL SERVICE LICENSEE (P A g A S n)		NAME OF FACILITY	
St Marys Cemetery		Town of Menasha Wisconsin		Wayne R Wilder		Laermrich F.J.	
DATE SIGNED		HOUR OF DEATH		DATE SIGNED		HOUR OF DEATH	
August 4, 1983		Approx. 8 00 p.m.		August 4, 1983		Approx. 8 00 p.m.	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P)		PRONOUNCED DEAD		PRONOUNCED DEAD (H)			
		July 30, 1983		9.00 p.m.			
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Typ o P)		REGISTRAR		DATE RECEIVED BY REGISTRAR			
Lloyd P. Maasch, M.D., Coroner, 206 South Mill St., Weyauwega, Wis. 54983		Jean Breuer RD		August 9, 1983			
IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (1) (b) AND (1))		DUE TO OR AS A CONSEQUENCE OF		DUE TO OR AS A CONSEQUENCE OF		Minutes	
(1) Massive Internal Injuries							
(b)							
OTHER SIGNIFICANT CONDITIONS (C d on b g o d h b t o l d a g PART (a))		AUTOPSY		WAS MEDICAL EXAMINER OR CORONER NOTIFIED?			
None		No		Yes			
DATE OF INJURY		HOUR OF INJURY		DESCRIBE HOW IT OCCURRED			
July 30, 1983		Approx. 8:00 p.m.		Hit a Hay baler in a field with a Honda ATC three wheeler.			
PLACE OF INJURY (Spec ly)		LOCATION		CITY OR VILLAGE			
Farm - Town of Lind		Route 2, Weyauwega, Wis. 54983					

(8219)  
8232  
143  
24

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Fo m No D VS 12  
Chap 69 W Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO

OCT 26 1983 024370

No 2819 completed in Hlth Dept per Coroner's office, Shawano.

LOCAL FILE NUMBER		DECEASED	
1 DECEASED NAME F L M ddi L		SEX 2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F m i	
Robert Allen HEINS		DATE OF DEATH 3 October 4, 1983	
4 RACE (g Whi Black H p Am l d) White		5 AGE L B nd y 36y	
6 UNDER 1 YEAR 5b M		6 UNDER 1 DAY 5 M	
7 DATE OF BIRTH 6 July 4, 1947y		8 COUNTY OF DEATH 7 Brown	
9 CITY VILLAGE OR TOWNSHIP OF DEATH 7 Green Bay		10 HOSPITAL OR OTHER INSTITUTION-N m (ii of h g ghom d mb l) St Vincent Hospital	
11 STATE OF BIRTH (ii o USA m o y) Wisconsin		12 CITIZEN OF WHAT COUNTRY 9 USA	
13 MARITAL STATUS 10 <input checked="" type="checkbox"/> M d <input type="checkbox"/> S p d <input type="checkbox"/> W dow d		14 SURVIVING SPOUSE (if w t g m d m l) Delores Keller	
15 SOCIAL SECURITY NUMBER 13 399-48-5021		16 USUAL OCCUPATION (g k d f w k d d g m f w k g) Accountant	
17 RESIDENCE STATE 15 Wisconsin		18 COUNTY 15 Outagamie	
19 CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15 Kaukauna		20 INSIDE CITY OR VILLAGE LIMITS 15d <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
21 FATHER NAME F M ddi L Eugene Lawrence Heins		22 MOTHER MAIDEN NAME F M ddi L Ethel Elizabeth Clements	
23 INFORMANT NAME (T y p P i) 18 Delores Heins		24 MAILING ADDRESS S R F D N City V i l l g S Z p 926 Meadow Lane Kaukauna, Wisconsin 54130	
25 CEMETERY OR CREMATORY NAME 19b Highland Memorial Park		26 LOCATION C v V i l l g S Appleton, Wisconsin	
27 FUNERAL SERVICE LICENSEE O P A g a s h 20b Wichmann F H		28 ADDRESS OF FACILITY S R F D No C v V i l l g S Z p 537 N Superior St, Appleton, WI 54911	
29 DATE SIGNED 10 17 83		30 HOUR OF DEATH 10 50 A M	
31 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (T y p o P i)		32 NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (T P ) James H Curl M D 704 South Webster Street Green Bay, Wisconsin 54301	
33 REGISTRAR 24 S Peter A Lemere		34 DATE RECEIVED BY REGISTRAR 24b OCT 18 1983	
35 IMMEDIATE CAUSE (ENTER ONLY ONE CAU E PER LINE FOR ( ) (b) AND ( ) )		36 DUE TO OR AS A CONSEQUENCE OF (b) Trauma	
37 OTHER SIGNIFICANT CONDITIONS C a o t b g o d h b o t i d t o g PART ( )		38 AUTOPSY 26 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No	
39 DATE OF INJURY 28a 10 2 83		40 HOUR OF INJURY 28b 5 P M	
41 DESCRIBE HOW INJURY OCCURRED 28c Lost control ATV (all terrain vehicle)		42 LOCATION St to R F D No C v o V i l l g S Cedar Lake WI to Cedar Lake WI	
43 INJURY AT WORK (Sp (y) Yes No)		44 PLACE OF INJURY A hom t m t f i y o t b l s g t Road-ditch Cedar Lake	

583  
24

Type or Print in  
Permanent Black  
Ink

Non-Resident

FORM No VS 12  
100M REV 1 78

576

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE

STATE DEATH NO 07 15 83 02 6000

LOCAL FILE NUMBER

DECEASED		DECEDENT NAME F t M d d L t 1 Paul Pierre WITTLIN		SEX 2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> m i	DATE OF DEATH 3 Nov 4, 1983 Mo h D y	
RACE (g wh B k H p o t a t i d) 4 White		AGE L t 8 t h d y 5 24 S y	UNDER 1 YEAR 5b M	UNDER 1 DAY 5c M	DATE OF BIRTH 6 April 18, 1959 M h D y	
CITY VILLAGE OR TOWNSHIP OF DEATH 7 Appleton		HOSPITAL OR OTHER INSTITUTION-N m 7d St Elizabeth Hospital (if o f h e s g d m b)			COUNTY OF DEATH 7 Outagamie	
STATE OF BIRTH (if t 8 WISCONSIN		CITIZEN OF WHAT COUNTRY 9 USA		MARITAL STATUS 10 <input type="checkbox"/> M ed <input checked="" type="checkbox"/> N M ed <input type="checkbox"/> S p d <input type="checkbox"/> S W d o w d		SURVIVING SPOUSE (if w f g m d m) 11 NA
SOCIAL SECURITY NUMBER 13 392 70 8536		USUAL OCCUPATION (g k d o f w o k d o d g m o t o f w o k g 14 Farmer		KIND OF BUSINESS OR INDUSTRY 14b Dairy Farm		
RESIDENCE STATE 15 Wis		COUNTY 15b Outagamie	CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15 Center		INSIDE CITY OR VILLAGE LIMITS 15d <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
FATHER NAME F t M d d L t 16 Gerald Wittlin		MOTHER MAIDEN NAME F M d d L 17 Winnifred P erre		STREET AND NUMBER 15 R R #1 Black Creek Wis		
INFORMANT NAME (Typ P ) 18 Gerald Wittlin		MAILING ADDRESS S o R F D N C y o V i l l g St Z p 18b R R #1 Black Creek Wis 54106				
BURIAL		CEMETERY OR CREMATORY NAME 19 St Patricks Parish Cem		LOCATION C y o V i l l g S 19 Town of Ellington Wis		
FUNERAL SERVICE LICENSEE O P n A g A s h 20 Sg		NAME OF FACILITY 20b Rorchardt & Moder inc		ADDRESS OF FACILITY St R F D No C y V i l l g St Z p 20c 109 W Main Portonville Wis 54944		
CERTIFICATION		DATE SIGNED 21b M h D Y		HOUR OF DEATH 21 M		
T b C m p l d b y CERTIFYING PHYSICIAN O V		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ O P ) 21d		T b C m p l d b y MEDICAL EXAMINER CORONER O V		22 O n b t m d d l g o m p o s h w d h 22 Chief Deputy Sg d t i B H Kempf Coroner
		NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (T P P ) 23 Bernard H Kempf, 1412 W Franklin St, Appleton, Wis 54914		DATE RECEIVED BY REGISTRAR 24b NOV 08 1983 Mo h D y		
CAUSE		IMMEDIATE CAUSE g 25 Severe Brain Injury ( ) DUE TO OR AS A CONSEQUENCE OF		Minutes		
		Imm d C (b) Depressed right side skull fracture DUE TO OR AS A CONSEQUENCE OF		Minutes		
		( ) All-Purpose Terrain Bike				
PART II OTHER SIGNIFICANT CONDITIONS Co d o b g t o d h b o i d o g PART I ( )		AUTOPSY 26 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No		WAS MEDICAL EXAMINER OR CORONER NOTIFIED? 27 <input checked="" type="checkbox"/> Y <input type="checkbox"/> No		
ACCIDENT		DATE OF INJURY 28 Nov 4, 1983 M th D y Y		HOUR OF INJURY 28 8 00 P M		DESCRIBE HOW INJURY OCCURRED 28d Lost control of bike
INJURY AT WORK 28a <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		PLACE OF INJURY At h o m f m s t f a c t o y o f f b l i d g 28f Thomas Fischer Farm		LOCATION St e e t o R F D No C t y o V i l l g St t 28g Rt 2, Mayflower Drive, Black Creek, Wis		

W 011

8212

A d  
UCOD

N o i s f y  
Co i C d

184  
24

Type or Print in  
Permanent Black  
Ink

Reserved for  
Corrections &  
Amendments

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO

APR 1 85 007475

LOCAL FILE NUMBER

1 DECEASED NAME First Middle Last <b>Kristopher Keenan KREGEL</b>		2 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	3 DATE OF DEATH (Month Day Year) <b>March 1, 1985</b>			
4 RACE (e.g. White Black Hispanic American Indian etc.) <b>White</b>	5a AGE Last Birthday <b>3</b>	5b UNDER 1 YEAR Mos Days	5c UNDER 1 DAY Hours Mins	6 DATE OF BIRTH (Month Day Year) <b>March 25, 1981</b>	7a COUNTY OF DEATH <b>Marinette</b>	7b INSIDE CITY OR VILLAGE LIMITS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7c CITY VILLAGE OR TOWNSHIP OF DEATH <b>Twn of Peshtigo</b>		7d HOSPITAL OR OTHER INSTITUTION Name (If none of these give street address) <b>Lake Michigan (Green Bay) Off pond road</b>		7e IF HOSP OR INST <input type="checkbox"/> DOA <input type="checkbox"/> OP/Emer Rm <input type="checkbox"/> Inpatient		
8 STATE OF BIRTH (If not in U.S.A. name country) <b>Wisconsin</b>	9 CITIZEN OF WHAT COUNTRY <b>U S A</b>	10 MARITAL STATUS <input type="checkbox"/> 1 Married <input checked="" type="checkbox"/> 2 Separated <input type="checkbox"/> 3 Divorced <input type="checkbox"/> 4 Never Married <input type="checkbox"/> 5 Widowed		11 SURVIVING SPOUSE (If wife give maiden name) <b>none</b>		12 WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
13 SOCIAL SECURITY NUMBER <b>NONE</b>		14a USUAL OCCUPATION (Give kind of work done during most of working life) <b>None</b>		14b KIND OF BUSINESS OR INDUSTRY <b>None</b>		
15a RESIDENCE STATE <b>Wisconsin</b>		15b COUNTY <b>Marinette</b>		15c CITY VILLAGE OR TOWNSHIP OF RESIDENCE <b>Town of Peshtigo</b>		15d INSIDE CITY OR VILLAGE LIMITS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16 FATHER NAME First Middle Last <b>James R. Kregel</b>		17 MOTHER MAIDEN NAME First Middle Last <b>Dianne Fischer</b>		15e STREET AND NUMBER <b>Rt. 2 Box 81 A</b>		
18a INFORMANT NAME (Type or Print) <b>Mrs. James Kregel</b>		18b MAILING ADDRESS Street or RFD No City or Village State Zip <b>Rt. 2 Box 81 A Marinette, Wisconsin 54143</b>				
19a FUNERAL SERVICE LICENSEE OF Person Acting As Such <input type="checkbox"/> 1 Burial <input checked="" type="checkbox"/> 2 Cremation <input type="checkbox"/> 3 Embalmer <input type="checkbox"/> 4 Removal		19b CEMETERY OR CREMATORY NAME <b>Forest Home Masoleum</b>		19c LOCATION City or Village State <b>Marinette, WI. 54143</b>		
20a FUNERAL DIRECTOR License No <b>2653</b>		20b ADDRESS OF FACILITY Street or RFD No City or Village State Zip <b>1103 Newberry Ave. Marinette, WI. 54143</b>		20c NAME OF FACILITY <b>Thiele Funeral Home</b>		
21a To the best of my knowledge death occurred at the time date and place and due to the cause(s) stated Signature and Title DATE SIGNED (Month Day Year) 21b NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) 21c HOURS OF DEATH 21d NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Type or Print) <b>Kenneth R. Mattison 2015 Hall Ave. Marinette WI. 54143</b>		22a On the basis of examination and/or investigation in my opinion death occurred at the time date and place and due to the cause(s) stated Signature and Title DATE SIGNED (Month Day Year) 22b PRONOUNCED DEAD (Month Day Year) 22c HOURS OF DEATH 22d PRONOUNCED DEAD (Month Day Year) <b>3 26 85</b> <b>Unk.</b> <b>3 23 85</b> <b>12 30 p.</b>		22e		
23 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a) (b) AND (c)) <b>Drowning</b> Interval between onset and death <b>Min</b>		24 OTHER SIGNIFICANT CONDITIONS Conditions contributing to death but not related to cause given in PART I (a) <b>Body Recovered 3 23 1985</b>				
25 PART II Conditions if any which gave rise to immediate Cause stating the underlying cause last <b>Body Recovered 3 23 1985</b>		26 AUTOPSY <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		27 WAS MEDICAL EXAMINER OR CORONER NOTIFIED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
28a INJURY AT WORK <input type="checkbox"/> 1 Accident <input type="checkbox"/> 2 Suicide <input type="checkbox"/> 3 Homicide <input type="checkbox"/> 4 Undet <input type="checkbox"/> 5 Pending		28b DATE OF INJURY (Month Day Year) <b>3 1 85</b>		28c HOURS OF INJURY <b>Unk</b>		28d DESCRIBE HOW INJURY OCCURRED <b>Passenger on 3-wheeler---Broke thru ice</b>
28e LOCATION <b>Lake Michigan (Green Bay)</b>		28f STREET OR RFD NO <b>Off Pond Road</b>		28g CITY OR VILLAGE <b>Twn. Peshtigo</b>		28h STATE <b>WI.</b>
29 REGISTRAR <b>Al...</b>						

8213

Accident  
UCOD

National Safety  
Council Codes

8	8	3
2	0	

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
**ORIGINAL CERTIFICATE OF DEATH**

STATE FILING DATE

STATE DEATH NO

MAR 13 1985 005740

Type or Print in  
Permanent Black  
Ink

Reserved for  
Corrections &  
Amendments

LOCAL FILE NUMBER

DECEDENT NAME		First	Middle	Last	SEX	DATE OF DEATH (Month Day Year)	
James		Roy	KRFGFL		2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F	3 March 1, 1985	
RACE (e.g. White, Black, Hispanic, American Indian, etc.)	AGE Last Birthday	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH (Month Day Year)		COUNTY OF DEATH	INSIDE CITY OR VILLAGE LIMITS
4 White	5a Year 36	5b Mos 1 Days	5c Hour 1 Min 1	6 May 1, 1948		7a Marinette	7b <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CITY VILLAGE OR TOWNSHIP OF DEATH		HOSPITAL OR OTHER INSTITUTION Name (If none of these give street and number)				IF HOSP OR INST	
7c Twn. of Peshtigo		7d rural Peshtigo				7e <input type="checkbox"/> DOA <input type="checkbox"/> OP/Emer Rm <input type="checkbox"/> Inpatient	
STATE OF BIRTH (If not in USA name country)	CITIZEN OF WHAT COUNTRY	MARITAL STATUS		SURVIVING SPOUSE (If wife give maiden name)		WAS DECEDENT EVER IN U.S. ARMED FORCES?	
8 Wisconsin	9 U S A	10 <input checked="" type="checkbox"/> 1 Married <input type="checkbox"/> 3 Divorced <input type="checkbox"/> 4 Never Married <input type="checkbox"/> 5 Widowed		11 Dianne Fischer		12 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (Give kind of work done during most of working life)		KIND OF BUSINESS OR INDUSTRY			
13 394-48-7072		14a Switchman		14b Railroad Industry			
RESIDENCE STATE	COUNTY	CITY VILLAGE OR TOWNSHIP OF RESIDENCE		INSIDE CITY OR VILLAGE LIMITS	STREET AND NUMBER		
15a Wisconsin	15b Marinette	15c Twn. of Peshtigo		15d <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	15e Pt. 2 Box 81A		
FATHER NAME		First	Middle	Last	MOTHER MAIDEN NAME		
16 Normam			Kregel		17 Mary Wolcanski		
INFORMANT NAME (Type of Person)		MAILING ADDRESS					
18a Mrs. Dianne Kregel		18b Rt. 2 Box 81A, Marinette, Wis 54143					
19a <input type="checkbox"/> 1 Burial <input checked="" type="checkbox"/> 2 Entombment <input type="checkbox"/> 3 Cremation <input type="checkbox"/> 4 Removal		CEMETERY OR CREMATORY NAME		LOCATION			
19a		19b Forest Home Cemetery		19c Marinette, Wis.			
FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH		NAME OF FACILITY					
20a <i>[Signature]</i>		20b Thielen Funeral Home					
FURNERIAL SERVICE LICENSE NO		ADDRESS OF FACILITY		Street or RFD No	City or Village	State	Zip
20c 2883		20d 1403 Newberry Ave, Marinette, Wis					20e Mar. 4, 1985
21a To the best of my knowledge death occurred at the time, date and place and due to the cause(s) stated		DATE SIGNED (Month Day Year)		HOUR OF DEATH		M	
21b NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		21c					
21d							
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print)		23 Kenneth R. Mattison 2015 Hall Ave Marinette, Wisconsin 54143					
25 PART I		IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c))				Interval between onset and death	
(a) Asphyxiation						minutes	
(b) Drowning						Interval between onset and death	
(c)						Interval between onset and death	
PART II		OTHER SIGNIFICANT CONDITIONS Conditions contributing to death but not related to cause given in PART I (a)				AUTOPSY	
						26 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
						27 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1 Accident <input checked="" type="checkbox"/> 2 Suicide <input type="checkbox"/> 3 Hemorrhage <input type="checkbox"/> 4 Undetermined <input type="checkbox"/> 5 Pending investigation <input type="checkbox"/>		DATE OF INJURY (Month Day Year)		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED	
28a		28b March 1, 1985		28c unk		28d Rode 3-wheeler into open water	
INJURY AT WORK		PLACE OF INJURY At home farm street factory office building etc (Specify)		LOCATION		State	
28e <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		28f ? Lake Michigan Green Bay (Part of Lake Michigan)		28g 1 mile from end of Pond rd, Peshtigo, Wis			
REGISTRAR		24a Signature <i>[Signature]</i>				DATE RECEIVED BY REGISTRAR (Month Day Year)	
						24b March 5, 1985	

Accident  
UCOD

National Safety  
Council Codes

883  
20

Type or Print in  
Permanent Black  
Ink

Reserved for  
Corrections &  
Amendments

02 02  
550008 0000

8212

Accident  
UCOD

National Safety  
Council Codes

1	8	3
2	2	

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE

STATE DEATH NO

JUL 23 85 016717

LOCAL FILE NUMBER

DECEDENT NAME First Middle Last 1 Jarl Adam TANNINEN		SEX 2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F	DATE OF DEATH (Month Day Year) 3 July 13, 1985	
RACE (e.g. White Black Hispanic American Indian etc.) 4 White	AGE Last Birthday 5a Years 17	UNDER 1 YEAR 5b Mos Days	UNDER 1 DAY 5c Hours Mins	DATE OF BIRTH (Month Day Year) 6 May 16, 1968
CITY VILLAGE OR TOWNSHIP OF DEATH 7c Ashland		HOSPITAL OR OTHER INSTITUTION Name <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Nursing home <input type="checkbox"/> Other Instit (If none of these give street and number) 7d Memorial Medical Center		INSIDE CITY OR VILLAGE LIMITS 7b <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
STATE OF BIRTH (If not in USA name country) 8 Ontario	CITIZEN OF WHAT COUNTRY 9 Canada	MARITAL STATUS 10 <input type="checkbox"/> 1 Married <input checked="" type="checkbox"/> 3 Divorced <input checked="" type="checkbox"/> 4 Never Married <input type="checkbox"/> 2 Separated <input type="checkbox"/> 5 Widowed	SURVIVING SPOUSE (If wife give maiden name) 11 None	
SOCIAL SECURITY NUMBER 13 None		USUAL OCCUPATION (Give kind of work done during most of working life or if retired) 14a Student		KIND OF BUSINESS OR INDUSTRY 14b Student
RESIDENCE STATE 15a Ontario	COUNTY 15b District of Algoma	CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15c Sault Ste Marie	INSIDE CITY OR VILLAGE LIMITS 15d <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	STREET AND NUMBER 15e R R #4 Goulaiss Ave
FATHER NAME First Middle Last 16 Leo Tanninen		MOTHER MAIDEN NAME First Middle Last 17 Toini unknown		
INFORMANT NAME (Type or Print) 18a Leo Tanninen		MAILING ADDRESS Street or RFD No City or Village State Zip 18b R R #4 Goulaiss Ave Sault Ste Marie, Ontario, Canada		
<input checked="" type="checkbox"/> 1 Burial <input type="checkbox"/> 3 Entombment <input type="checkbox"/> 2 Cremation <input type="checkbox"/> 4 Removal		CEMETERY OR CREMATORY NAME 19b Greenwood Cemetery		LOCATION City or Village State 19c Sault Ste Marie, Ontario, Canada
FUNERAL SERVICE LICENSEE Or Person Acting As Such Signature 20a Gordon S Wahlberg		NAME OF FACILITY 20b Frost Home For Funerals		
Funeral Director License No 20c 3328		ADDRESS OF FACILITY Street or RFD No City or Village State Zip 20d 610 Ellis Ave Ashland, Wisconsin 54806		DATE SIGNED BY FUNERAL SERVICE LICENSEE 20e July 13, 1985
21a To the best of my knowledge death occurred at the time date and place and due to the cause(s) stated Signature and Title DATE SIGNED (Month Day Year) 21b July 15 1985 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) 21d		22a On the basis of examination and/or investigation in my opinion death occurred at the time date and place and due to the cause(s) stated Signature and Title DATE SIGNED (Month Day Year) 22b PRONOUNCED DEAD (Month Day Year) 22c PRONOUNCED DEAD (Hour) 22d		
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Type or Print) 23 Dr Ivan Teoh 2101 Beaser Ave Ashland, Wisconsin 54806				
25 PART I IMMEDIATE CAUSE [ENTER ONLY ONE CAUSE PER LINE FOR (a) (b) AND (c)]				
(a) Ruptured liver		Interval between onset and death sudden		
(b) Blunt injury abdomen		Interval between onset and death sudden		
(c) Motor vehicle accident		Interval between onset and death 2 hours		
PART II OTHER SIGNIFICANT CONDITIONS Conditions contributing to death but not related to cause given in PART I (a)		AUTOPSY 26 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		WAS MEDICAL EXAMINER OR CORONER NOTIFIED? 27 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
28a <input checked="" type="checkbox"/> 1 Accident <input type="checkbox"/> 3 Homicide <input type="checkbox"/> 4 Undet <input type="checkbox"/> 5 Pending investigation INJURY AT WORK 28e <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		DATE OF INJURY (Month Day Year) 7 13 85		HOUR OF INJURY 28c 9 45 A M
PLACE OF INJURY At home farm street factory office building etc (Specify) 28f Jolma Farm		DESCRIBE HOW INJURY OCCURRED 28d driver thrown from 3 wheel vehicle (ATV) Hit fence & ground		
LOCATION Street or RFD No City or Village State 28g Town of White River, WI		DATE RECEIVED BY REGISTRAR (Month Day Year) 24b JUL 16 1985		
REGISTRAR 24a Signature Wendell R Friese				

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Chap 69 W & Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE **OCT 15 84 023223**  
STATE DEATH NO

LOCAL FILE NUMBER		DECEDENT NAME F M ddi L		SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F m i	DATE OF DEATH OCTOBER 2, 1984
1 HOWARD		2 MOMMAERTS			
RACE (g Wh Bl k) 4 White		AGE L B h y 5 70	UNDER 1 YEAR 5h Mo	DATE OF BIRTH 6 September 11, 1914	COUNTY OF DEATH 7 Brown
CITY VILLAGE OR TOWNSHIP OF DEATH 7 Green Bay		HOSPITAL OR OTHER INSTITUTION (if a h g) 7d Bellin Hospital			IF HOSP OR INST 7b <input type="checkbox"/> DOA <input type="checkbox"/> OPA <input checked="" type="checkbox"/> me Rm
STATE OF BIRTH (H ot) 8 Wisconsin		CITIZEN OF WHAT COUNTRY 9 U. S. A.		MARITAL STATUS 10 <input checked="" type="checkbox"/> M d <input type="checkbox"/> 4 N M d <input type="checkbox"/> 2 S o d <input type="checkbox"/> 3 S o d <input type="checkbox"/> 5 W dowed	SURVIVING SPOUSE (if w f g m ad m) 11 Ethel Goddard
SOCIAL SECURITY NUMBER 13 396-03-5879		USUAL OCCUPATION (g k d f w k d o d ng m o f w k g) 14 Plant Superintendent		KIND OF BUSINESS OR INDUSTRY 14b Concrete Manufacturing Co	
RESIDENCE STATE 15 Wisconsin		COUNTY 15b Brown	CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15 Green Bay	INSIDE CITY OR VILLAGE LIMITS 15d <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	STREET AND NUMBER 15 3575 Judy Lane, G. B., Wis
FATHER NAME F t M d i L 16 Paul Mommaerts		MOTHER MAIDEN NAME F t M d i L 17 Amelia Dashner			
INFORMANT NAME (Typ o P i) 18 ETHEL Mommaerts		MAILING ADDRESS S RFD No C y o V i l l a g S Z p 18b 3575 Judy Lane, Green Bay, Wis 54301			
B1 <input type="checkbox"/> B l <input type="checkbox"/> 4 R m i <input type="checkbox"/> 2 C m <input type="checkbox"/> 5 O h		CEMETERY OR CREMATORY NAME 19 Shrine of Good Shepherd		LOCATION C y V i l l a g S 19 Green Bay, Wis	
FUNERAL SERVICE LICENSEE O P 20 John Kuefer		NAME OF FACILITY 20b Schauer & Schumacher		ADDRESS OF FACILITY S RFD No C y V i l l a g Wis. 54301 20c 340 So. Monroe Ave., Green Bay,	
DATE SIGNED 21b Mo h D y Y 21 October 2, 1984		HOUR OF DEATH 21 5 11 A. M		DATE SIGNED 22b M h D y Y 22 October 2, 1984	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ P i) 21d Clem H Dozer, Coroner, 352 Quincy St, Oconto, Wis 54153		MEDICAL EXAMINER 22a Mo h D y Y 22a 9 05 A. M		PRONOUNCED DEAD (H i) 22b 9 05 A. M	
23 REGISTRAR 24 Peter A. LeMere					
DATE RECEIVED BY REGISTRAR 24b OCT 3 1984					
IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR ( ) (b) AND (c)) 25 PART I Co d y wh h g o Imm d C g th c d i y g ( ) Perforation of the Ascending Colon with generalized peritonitis (b) Result of accident on 3 wheel A. T. V. 10 days (c) OTHER SIGNIFICANT CONDITIONS Co d o o t b g o d h b t o l t d t o g n PART II					
AUTOPSY 26 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
WAS MEDICAL EXAMINER OR CORONER NOTIFIED? 27 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
DATE OF INJURY 28a Sept 22, '84					
HOUR OF INJURY 28b 1 25 P M					
DESCRIBE HOW INJURY OCCURRED 28c victim was driving 3-wheeler and ran into the back of another 3-wheeler					
LOCATION S to RFD No C y o V i l l a g S t o 28d Old 64 and Shady Lake Rd., Oconto County					
INJURY AT WORK 28e <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
PLACE OF INJURY A h m i m t e s t f o y o f f i c e b u i l d i n g t 28f Intersection of old 64 and					

8210  
A d U C O D

N Co IS f y  
Co i Cod  
543  
24

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. DVS 12  
Chap 69 Ws Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE **APR 19 84 008171**  
STATE DEATH NO

LOCAL FILE NUMBER

DECEASED		DECEDENT NAME F t M d d L		SEX	DATE OF DEATH	
1		Raymond Earl BABB		2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> m i	April 10, 1984	
4		RACE (g wh Bl k H p Am Id)	AGE L B hd v 78	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH
4		white	5 Y	5b M	5 H M	March 9, 1906
7		CITY VILLAGE OR TOWNSHIP OF DEATH	HOSPITAL OR OTHER INSTITUTION-N m (if ng f h g t d mb l)		COUNTY OF DEATH	INSIDE CITY OR VILLAGE LIMITS
7		Richland Center	Richland Hospital		Richland	<input checked="" type="checkbox"/> Y <input type="checkbox"/> No
8		STATE OF BIRTH (U S A m t y)	CITIZEN OF WHAT COUNTRY	MARITAL STATUS	SURVIVING SPOUSE (if w f g m d m)	
8		Wisconsin	U S A	<input type="checkbox"/> 1 M d <input checked="" type="checkbox"/> 4 N M ad <input type="checkbox"/> 2 S p d <input type="checkbox"/> 5 W d w d <input type="checkbox"/> 3 D o d	11	
13		SOCIAL SECURITY NUMBER		USUAL OCCUPATION (g k d o f w d o d g m f w k g)	KIND OF BUSINESS OR INDUSTRY	
13		387-18-9109		farming	own dairy farm	
15		RESIDENCE STATE	COUNTY	CITY VILLAGE OR TOWNSHIP OF RESIDENCE	INSIDE CITY OR VILLAGE LIMITS	STREET AND NUMBER
15		Wisconsin	Richland	Sylvan township	<input type="checkbox"/> Y <input checked="" type="checkbox"/> No	Route #1, Box 272
16		FATHER NAME F M d d L		MOTHER MAIDEN NAME F M d d L		
16		John Hansel Babb		Jessie May Danner		
18		INFORMANT NAME (Typ P )		MAILING ADDRESS S R F D N C v VII g S Z p		
18		Eva Babb		Route #1, Box 272 - Richland Center, WI 53581		
19		CEMETERY OR CREMATORY NAME		LOCATION City VII g S		
19		Mt Tabor Cemetery		Sylvan township, Richland Co, WI		
20		FUNERAL SERVICE LICENSEE O b e p f a S h		NAME OF FACILITY		
20		H L Hansen		Lunenschloss-Hansen, Inc Richland Center, WI 53581		
21		DATE SIGNED		HOUR OF DEATH		
21		April 11, 1984		1 19 P M		
22		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ P )		DATE SIGNED		HOUR OF DEATH
22				22b M h D y Y		22 M
23		NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (T p o P )		PRONOUNCED DEAD		PRONOUNCED DEAD (H )
23		Roy C Glise, MD - 1313 W Seminary St - Richland Center, WI 53581		22d M h D y Y		22 M
24		REGISTERAR		DATE RECEIVED BY REGISTRAR		
24		Sy Muller Register of Deeds		April 13, 1984		
25		IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR ( ) (b) AND ( ) )		1b w d d h		
25		Cardiac arrhythmia		15 min		
25		Hyper Kalemia		3 days		
25		Renal failure acute due to trauma		5 days		
26		OTHER SIGNIFICANT CONDITIONS Co d o i b g o d t h b i o t i d i o s e g o PART ( )		AUTOPSY		
26		Multiple rib fractures, hemothorax		<input type="checkbox"/> Y <input checked="" type="checkbox"/> No		
27		DATE OF INJURY		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED
27		April 5 1984		Unknown		Fell from three wheeled motor bicycle
28		INJURY AT WORK		PLACE OF INJURY At hom f m t t factory off b ld ng		LOCATION
28		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		At own farm		R#1 Richland Center, WI

Corrected 1/17/84  
by authority of the  
State Registrar  
Item(s) 22c - per md

AUCOD	
N to 151 IV	Co 1 Cod
1	1
1	0

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. D VS 12  
Chap 69 W & Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
203 ORIGINAL CERTIFICATE OF DEATH

STATE FILING DA  
STATE DEATH NC

JUL 13 84 015445

LOCAL FILE NUMBER		DECEDENT NAME F M ddi L t		SEX	DATE OF DEATH	
		Nathan Allen WIENKE		2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> m i	June 25, 1984	
RACE (g Wh Bl k H p Am Id)		AGE L t B nd y	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH	COUNTY OF DEATH
4 white		5 20	5b M	5 H M	6 July 21, 1963	7 St. Croix
CITY VILLAGE OR TOWNSHIP OF DEATH		HOSPITAL OR OTHER INSTITUTION-N m		IF HOSP OR INST		INSIDE CITY OR VILLAGE LIMITS
7 Town of Forest		7d Rt. 1, Emerald		7 <input type="checkbox"/> DOA <input type="checkbox"/> OP/Em Rm <input type="checkbox"/> OI o		7b <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
STATE OF BIRTH (U o USA m o ty)		CITIZEN OF WHAT COUNTRY		MARITAL STATUS		SURVIVING SPOUSE (H w t g m d m)
8 Minnesota		9 U S A.		10 <input type="checkbox"/> 1 M d <input type="checkbox"/> 2 S p d <input type="checkbox"/> 3 D d <input checked="" type="checkbox"/> 4 N M ed <input type="checkbox"/> 5 W dow d		11 n/a
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (G k d t w o k d o d g m o t w k g)		KIND OF BUSINESS OR INDUSTRY		WAS DECEDENT EVER IN U S ARMED FORCES?
13 399-60-4155		14 student		14b North Central Bible College		12 <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
RESIDENCE STATE		COUNTY	CITY VILLAGE OR TOWNSHIP OF RESIDENCE	INSIDE CITY OR VILLAGE LIMITS	STREET AND NUMBER	
15 Wisconsin		15b St Croix	15 Town of Forest	15d <input type="checkbox"/> Y <input checked="" type="checkbox"/> No	15 Rt. 1, Emerald	
FATHER NAME F M ddi L		MOTHER MAIDEN NAME F M ddi L				
16 Allen Wienke		17 Karen Fox				
INFORMANT NAME (T y p P i)		MAILING ADDRESS S R F D N C y o v i l l g S Z p				
18 Allen Wienke		18b Box 60 Emerald, Wisconsin 54012				
BURIAL		CEMETERY OR CREMATORY NAME		LOCATION		
19 <input checked="" type="checkbox"/> 1 B i <input type="checkbox"/> 2 C m <input type="checkbox"/> 3 E m b n g <input type="checkbox"/> 4 R m i <input type="checkbox"/> 5 O h		19b Clear Lake Cemetery		19 Clear Lake, Wisconsin		
FUNERAL SERVICE LICENSEE O P A g A h		NAME OF FACILITY		ADDRESS OF FACILITY S R F D No C o v i l l g S Z p		
20 <i>Brown Smith</i>		20b Everts Funeral Home, Inc		20 607 1st St., Glenwood City, Wi. 54013		
CERTIFICATION		DATE SIGNED		HOUR OF DEATH		
21 <i>Jerome G Koosmann</i>		21 June 25 1984		21 1:41 P M		
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (T p P i)		22b PRONOUNCED DEAD		22 PRONOUNCED DEAD (H i)		
21d		22b June 25 1984		22 1 53 P M		
NAME AND ADDRESS OF CERTIFIER PHYSICIAN MEDICAL EXAMINER OR CORONER (T p i)		23 Jerome G Koosmann Coroner 528 E Pine St. Box 100A RR 2 Glenwood City, Wi 54013				
REGISTRAR		DATE RECEIVED BY REGISTRAR				
24 <i>James O'Connell</i>		24b Filed 8 30 AM June 27, 1984				
CAUSE		IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (i) (b) AND (c))				
25 PART I		(i) Basil Skull Fracture		Immed		
C d on t y v h g a o		DUE TO OR AS A CONSEQUENCE OF		b w n t d d h		
Imm d C g h a t y n g l t		(b) Multiple Traumatic Head Injuries		Immed		
DUE TO OR AS A CONSEQUENCE OF					b w o t n d d h	
PART II		OTHER SIGNIFICANT CONDITIONS Co d t o o b g t o d h b o t i d t o s e g		PART (i)		
26 Fractures Left Forearm		AUTOPSY		WAS MEDICAL EXAMINER OR CORONER NOTIFIED?		
		26 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No		27 <input checked="" type="checkbox"/> Y <input type="checkbox"/> No		
ACCIDENT		DATE OF INJURY		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED
28 <input type="checkbox"/> 1 A d n t <input type="checkbox"/> 2 S d <input type="checkbox"/> 3 Hom de <input type="checkbox"/> 4 U d i <input type="checkbox"/> 5 P d i		28b June 25 1984		28 1:41 P M		28d Three Wheeler Hit Tree No Helmet
INJURY AT WORK (Spec i y)		PLACE OF INJURY A t h m t f a c o y o f f b i d g t		LOCATION		Site o R F D No C y o v i l l g S t i
28 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		28b On Farm		28c Section 31 RR 1 Emerald Wi. 54012		

8219

A d U C O D

N o n i s t y Co I C d

1	2	3
2	4	

Type or Print in  
Permanent Black  
Ink

DOH 5040

Chap 69 Wis Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE

STATE DEATH NO

Jul 30 84 016796

LOCAL FILE NUMBER

DECEASED		DECEDENT NAME F I M ddi L John H STUETTGEN		SEX 2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> m	DATE OF DEATH 3 July 14, 1984			
RACE (g w h t b i k) 4 White		AGE L B h d y 5 46		DATE OF BIRTH 6 August 13, 1937		COUNTY OF DEATH 7 Marinette	INSIDE CITY OR VILLAGE LIMITS 7b <input type="checkbox"/> Y <input checked="" type="checkbox"/> No	
CITY VILLAGE OR TOWNSHIP OF DEATH 7 Town of Stephenson		HOSPITAL OR OTHER INSTITUTION-N m <input type="checkbox"/> H p i <input type="checkbox"/> N g h m <input type="checkbox"/> O h i 7d 1612 Fire Lane Road (accident site)					IF HOSP OR INST 7 <input type="checkbox"/> DOA <input type="checkbox"/> OP/Em Rm <input type="checkbox"/> I o	
STATE OF BIRTH (ii o) 8 Wisconsin		CITIZEN OF WHAT COUNTRY 9 U S A		MARITAL STATUS 10 <input checked="" type="checkbox"/> 1 M d d <input type="checkbox"/> 4 N M ed <input type="checkbox"/> 2 S p d <input type="checkbox"/> 5 W d w d <input type="checkbox"/> 3 D d		SURVIVING SPOUSE (ii w i g m d m) 11 Sandra A Mills		WAS DECEDENT EVER IN US ARMED FORCES? 12 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No
SOCIAL SECURITY NUMBER 13 392-34-1145		USUAL OCCUPATION (g k d f w o k d d g m o t w k g) 14 Mason Contractor		KIND OF BUSINESS OR INDUSTRY 14b Cement				
RESIDENCE STATE 15 Wisconsin		COUNTY 15a Washington	CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15b Richfield	INSIDE CITY OR VILLAGE LIMITS 15d <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		STREET AND NUMBER 15 1585 Mayfield Road		
PARENTS		FATHER NAME F M ddi L 16 George Stuetgen		MOTHER MAIDEN NAME F M ddi L 17 Lillian Fassbender				
INFORMANT NAME (Typ P ) 18 Sandra A Stuetgen		MAILING ADDRESS S R F D No C V i l l g S Z p 18 1585 Mayfield Road Richfield, Wisconsin 53076						
BURIAL		CEMETERY OR CREMATORY NAME 19 St Mary's Cemetery		LOCATION C v v i l l g S 19 Richfield, Wisconsin				
FUNERAL SERVICE LICENSEE O P A S h 20 Daniel R. Rhodes		NAME OF FACILITY 20a Shramka-Herrick-Haack		ADDRESS OF FACILITY S R F D N C o v i l l g S Z p 20 9034 N Water Menominee Falls, WI 53051				
CERTIFICATION		DATE SIGNED 21b Mo h D y Y 21		HOUR OF DEATH 21 M 21		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P ) 21d		
T b Compl i d by CERTIFYING PHYSICIAN O v		DATE SIGNED 21b Mo h D y Y 21		HOUR OF DEATH 21 M 21		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P ) 21d		
T b Compl i d by MEDICAL EXAMINER O v		DATE SIGNED 21b Mo h D y Y 21		HOUR OF DEATH 21 M 21		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P ) 21d		
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Typ P ) 23 Kenneth Mattison, Coroner, 1362 Pierce Ave Marinette, WI 54143		REGISTRAR 24 Florence Magnuson, Reg Deeds / P.B. Deputy						
IMMEDIATE CAUSE (a) MASSIVE Head INJURIES		DATE RECEIVED BY REGISTRAR 24b July 30, 1984						
DUE TO OR AS A CONSEQUENCE OF (b) Imd.		PART II OTHER SIGNIFICANT CONDITIONS Co d o o b g o d h b o i d o g PART I ( )						
AUTOPSY 26 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No		WAS MEDICAL EXAMINER OR CORONER NOTIFIED? 27 <input checked="" type="checkbox"/> Y <input type="checkbox"/> No						
INJURY AT WORK 28a <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		DATE OF INJURY 28b July 14, 1984		HOUR OF INJURY 28 4 50 p m		DESCRIBE HOW INJURY OCCURRED 28d A T C went off lane and hit tree		
PLACE OF INJURY A h g m i m t f a c t o y o f f b u i l d g t c (Spec ly) 1612 Fire Lane Road		LOCATION S t t o R F D No C t y o v i l l g S t t 28g Town of Stephenson, Wisconsin						

8 7 3  
24

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. D VS 12  
Chap 69 W s Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE **Dec 17 1984 028666**  
STATE DEATH NO

701  
LOCAL FILE NUMBER

1 DECEASED DECEDENT NAME F M d d l L <b>MYRON R FRAAZA</b>		SEX 2 <b>Y M I U F m i</b>		DATE OF DEATH 3 <b>Nov 26 1984</b>	
4 RACE ( g w h t b l k ) <b>white</b>		AGE L B h d y <b>33</b>		DATE OF BIRTH 6 <b>Jan 16 1951</b>	
CITY VILLAGE OR TOWNSHIP OF DEATH 7 <b>Wausau</b>		HOSPITAL OR OTHER INSTITUTION-N m 8 <b>Wausau Hospital Center</b>		COUNTY OF DEATH 9 <b>Marathon</b>	
STATE OF BIRTH ( i i i ) 10 <b>USA m t y</b>		CITIZEN OF WHAT COUNTRY 11 <b>USA</b>		MARITAL STATUS 12 <input checked="" type="checkbox"/> M d <input type="checkbox"/> 4 N M ed <input type="checkbox"/> 2 S p d <input type="checkbox"/> 5 W dow d <input type="checkbox"/> 3 D o d	
SOCIAL SECURITY NUMBER 13 <b>393 58 9735</b>		USUAL OCCUPATION ( g k d t w o k d g m o f w o k g ) 14a <b>Maintenance Man</b>		SURVIVING SPOUSE ( i i w y g s m d m ) 11 <b>Lois Christianson</b>	
RESIDENCE STATE 15 <b>Wisc</b>		COUNTY 15b <b>Marathon</b>		CITY VILLAGE OR TOWNSHIP OF RESIDENCE 15 <b>Wausau</b>	
FATHER NAME F M d d l L 16 <b>Peter Fraaza</b>		MOTHER MAIDEN NAME F M d d l L 17 <b>Gretchen Herrema</b>		STREET AND NUMBER 15 <b>819 Broadway</b>	
INFORMANT NAME ( i t y p P ) 18 <b>Mrs. Lois Fraaza</b>		MAILING ADDRESS 18b <b>819 Broadway Wausau W1 54401</b>		LOCATION 19 <b>Wausau W1 54401</b>	
FUNERAL SERVICE LICENSEE ( i t y p o a g a s ) 20 <b>John Deamuel</b>		NAME OF FACILITY 19b <b>Pine Grove Cemetery</b>		ADDRESS OF FACILITY 20c <b>522 Adams St Wausau W1 54401</b>	
DATE SIGNED 21a <b>11-28-84</b>		HOUR OF DEATH 21 <b>4:30 am</b>		DATE SIGNED 22a <b>Nov 30, 1984</b>	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER ( i t y p o P ) 21b <b>Robert D. Schmitz</b>		PRONOUNCED DEAD 22b <b>Mo h D y Y</b>		PRONOUNCED DEAD ( H o ) 22 <b>Mo h D y Y</b>	
NAME AND ADDRESS OF CERTIFIER PHYSICIAN MEDICAL EXAMINER OR CORONER ( i t y p ) 23 <b>425 Fire Lodge Blvd Suite 301 Wausau, WI 54981</b>		DATE RECEIVED BY REGISTRAR 24b <b>Nov 30, 1984</b>		IMMEDIATE CAUSE 25 <b>Irreversible brain stem injury</b>	
PART I 25a <b>CLOSED HEAD INJURY</b>		PART II 26 <b>on 3 wheel vehicle on rt side of road</b>		AUTOPSY 26 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
DATE OF INJURY 27a <b>11 24-84</b>		HOUR OF INJURY 27b <b>evening</b>		WAS MEDICAL EXAMINER OR CORONER NOTIFIED? 27 <input checked="" type="checkbox"/> Y <input type="checkbox"/> No	
INJURY AT WORK 28 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No		PLACE OF INJURY ( i t y p ) 28 <b>Grand Avenue Schofield Bridge</b>		LOCATION 28d <b>Schofield, Wis. 54476</b>	

DR ODULIO

ITEM(S) 11, 28D  
CORRECTED BEFORE  
SYNOPSIS

8219  
UCOD

8219  
UCOD  
8219  
UCOD

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Fo m No D VS 12  
Chap 69 W s Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE 20036415  
STATE DEATH NO

LOCAL FILE NUMBER		DECEDENT NAME Sherry Lee STEIER		SEX M <input type="checkbox"/> F <input checked="" type="checkbox"/>	DATE OF DEATH March 18, 1984
RACE (g wh Bl k H p Am e Id n t) White		AGE L B d y 15	UNDER 1 YEAR b Mo D y	DATE OF BIRTH January 23, 1969	COUNTY OF DEATH Oconto
CITY VILLAGE OR TOWNSHIP OF DEATH Oconto Falls		HOSPITAL OR OTHER INSTITUTION - N m X H p I N gh m Oth l st Community Memorial Hospital			INSIDE CITY OR VILLAGE LIMITS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
STATE OF BIRTH (U o USA g m o y) Wisconsin		CITIZEN OF WHAT COUNTRY USA		MARITAL STATUS <input type="checkbox"/> M d <input checked="" type="checkbox"/> N M d <input type="checkbox"/> 2 S o d <input type="checkbox"/> 3 D d none	IF HOSP OR INST <input checked="" type="checkbox"/> DOA <input type="checkbox"/> OP/Em Rm WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
SOCIAL SECURITY NUMBER 390-76-6449		USUAL OCCUPATION (k d f w k d) Student		KIND OF BUSINESS OR INDUSTRY High School	
RESIDENCE STATE Wisconsin		COUNTY Oconto	CITY VILLAGE OR TOWNSHIP OF RESIDENCE Oconto	INSIDE CITY OR VILLAGE LIMITS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	STREET AND NUMBER 315 Pecor Street
FATHER NAME Joseph John Steier		MOTHER MAIDEN NAME Shirley Jean Rouer			
INFORMANT NAME (T y p o P ) Shirley Jean Steier		MAILING ADDRESS 315 Pecor Street, Oconto, Wisconsin 54153			
CEMETERY OR CREMATORY NAME St Charles Cemetery		LOCATION Lena, Wisconsin			
FUNERAL SERVICE LICENSEE O P o A A S h William Gallagher		NAME OF FACILITY Gallagher Pinkart Funeral Home		ADDRESS OF FACILITY S o RFD N C t y V i l l g S i t Z p 217 Congress Street, Oconto, WI 54153	
DATE SIGNED March 18, 1984		HOUR OF DEATH 6 50 P M		DATE SIGNED March 18, 1984	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (T y p P ) Clem H Dozer, 352 Quincy St, Oconto, WI 54153 (Coroner)		HOUR OF DEATH 7 50 P M		DATE SIGNED March 18, 1984	
REGISTRAR Gary Halter		DATE RECEIVED BY REGISTRAR March 22, 1984			
PART I IMMEDIATE CAUSE (1) Skull Fracture DUE TO OR AS A CONSEQUENCE OF (b) Accident on 3-wheeler (A T V) DUE TO OR AS A CONSEQUENCE OF		PART II OTHER SIGNIFICANT CONDITIONS Co d t o o b g d h b o t i d t u g n P A R T I I )		AUTOPSY <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
DATE OF INJURY March 18, 1984		HOUR OF INJURY 6 15 P M		DESCRIBE HOW INJURY OCCURRED Victim was riding 3-wheeler when accident happened	
INJURY AT WORK <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		PLACE OF INJURY (Spec ly) Farm - East side of Cty J North of Cty A		LOCATION Route #3, Lena Town of Little River	

02 02

8219  
A de UCOD

N o 151 IV  
Co 1 Cod  
1 8 2  
2 4

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No DVS 12  
Chap 69 Wis Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE  
STATE DEATH NO. APR 27 84 008809

LOCAL FILE NUMBER 0826

DECEDENT NAME Jeffrey Richard SONNTAG		SEX XX M	DATE OF DEATH April 12, 1984
RACE White	AGE 13	DATE OF BIRTH March 6, 1971	COUNTY OF DEATH Dane
CITY VILLAGE OR TOWNSHIP OF DEATH City of Madison		HOSPITAL OR OTHER INSTITUTION Madison General Hospital	INSIDE CITY OR VILLAGE LIMITS Yes
STATE OF BIRTH Minnesota	CITIZEN OF WHAT COUNTRY USA	MARITAL STATUS None	IF HOSP OR INST DOA OP/Em Rm X
SOCIAL SECURITY NUMBER 469 70 0564		USUAL OCCUPATION Student	WAS DECEDENT EVER IN U.S. ARMED FORCES No
RESIDENCE STATE Wisconsin	COUNTY Dane	CITY VILLAGE OR TOWNSHIP OF RESIDENCE Fitchburg	KIND OF BUSINESS OR INDUSTRY Verona Middle School
FATHER NAME Robert W. Sonntag		MOTHER MAIDEN NAME Roberta J. Bacon	
INFORMANT NAME (Type P) Mr. Robert W Sonntag		MAILING ADDRESS 2896 Osmundsen Road Madison WI 53711	
CEMETERY OR CREMATORY NAME Cress Crematory		LOCATION Sun Prairie Wisconsin	
FUNERAL SERVICE LICENSEE William F. Cress		NAME OF FACILITY Cress Funeral Service	
DATE SIGNED April 18, 1984		HOUR OF DEATH 2 25 a	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type P) Clyde F Chamberlain		PRONOUNCED DEAD April 12, 1984	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Type P) Clyde F Chamberlain, Dane County Coroner, GR-4, City-County Building, Madison, Wisconsin 53709			
REGISTRAR Carol R Mahan		DATE RECEIVED BY REGISTRAR APR 19 1984	
IMMEDIATE CAUSE MASSIVE INTERNAL HEMORRHAGE		1b w d d h App 10 hours	
DUE TO OR AS A CONSEQUENCE OF LIVER DAMAGE		1b w d d h	
DUE TO OR AS A CONSEQUENCE OF ALL TERRAIN VEHICLE ACCIDENT		1b w d d h	
OTHER SIGNIFICANT CONDITIONS Farm		AUTOPSY No	
DATE OF INJURY April 11, 1984		HOUR OF INJURY 4 05 p	
INJURY AT WORK No		SUBJECT HOW INJURY OCCURRED Subject thrown from All Terrain Vehicle	
PLACE OF INJURY Farm		LOCATION 6903 Midtown Road, Town of Verona, Wisconsin	

8213  
24

Type or Print in  
Permanent Black  
Ink

DOH 5040  
Form No. D VS 12  
Chap 69 W Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING D  
STATE DEATH N

JUL 12 04 015345

LOCAL FILE NUMBER		DECEDENT NAME		SEX		DATE OF DEATH	
1		Dustin John BRUGGINK		2 <input checked="" type="checkbox"/> M <input type="checkbox"/> F		3 July 6 1984	
4 RACE (g Wh B k H p Am I d)		5 AGE L B nd y 12		6 DATE OF BIRTH October 20 1971		7 COUNTY OF DEATH Sheboygan	
8 CITY VILLAGE OR TOWNSHIP OF DEATH		9 HOSPITAL OR OTHER INSTITUTION-N m (If no of h g d mb l)		10 IF HOSP OR INST		11 INSIDE CITY OR VILLAGE LIMITS	
12 Town of Sherman		13 Rt #1 Adell		14 <input type="checkbox"/> OOA <input type="checkbox"/> OP/Em Rm		15 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No	
16 STATE OF BIRTH (H USA m o v)		17 CITIZEN OF WHAT COUNTRY USA		18 MARITAL STATUS		19 SURVIVING SPOUSE (If w f g m d m)	
20 Wisconsin		21 USA		22 <input type="checkbox"/> M d <input checked="" type="checkbox"/> N M ed <input type="checkbox"/> S p t d <input type="checkbox"/> S w w d		23 none	
24 SOCIAL SECURITY NUMBER		25 USUAL OCCUPATION (g k d t w o k a d g m o f w k g)		26 KIND OF BUSINESS OR INDUSTRY		27 WAS DECEDENT EVER IN US ARMED FORCES?	
28 394-76-7825		29 Student		30 Elementary School		31 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
32 RESIDENCE STATE		33 COUNTY		34 CITY VILLAGE OR TOWNSHIP OF RESIDENCE		35 INSIDE CITY OR VILLAGE LIMITS	
36 Wisconsin		37 Sheboygan		38 Town of Sherman		39 <input type="checkbox"/> Y <input checked="" type="checkbox"/> No	
40 FATHER NAME		41 MOTHER MAIDEN NAME		42 STREET AND NUMBER		43	
44 Wayne L Bruggink		45 Carol M Ostrander		46 Rt #1 Adell		47	
48 INFORMANT NAME (Typ P I)		49 MAILING ADDRESS		50		51	
52 Wayne L Bruggink		53 Rt #1 Adell Wis 53001		54		55	
56 B I <input checked="" type="checkbox"/> B I <input type="checkbox"/> C M o <input type="checkbox"/> 4 R m i <input type="checkbox"/> 5 O h <input type="checkbox"/> 3 E m b m		57 CEMETERY OR CREMATORY NAME		58 LOCATION		59	
60 Hingham Cemetery		61 Hingham Wis		62		63	
64 FUNERAL SERVICE LICENSEE O P R S h		65 NAME OF FACILITY		66 ADDRESS OF FACILITY		67	
68 Wayne L Bruggink		69 Krostag-Huehns Funeral Home		70 915 Center St Oostburg Wis 53070		71	
72 DATE SIGNED		73 HOUR OF DEATH		74 DATE SIGNED		75 HOUR OF DEATH	
76 July 7 1984		77 1:10 PM		78 July 7 1984		79 1:10 PM	
80 NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Typ o P I)		81		82 PRONOUNCED DEAD		83 PRONOUNCED DEAD (H I)	
84		85		86 July 6 1984		87 1:30 PM	
88 NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (Typ o P I)		89		90		91	
92 Robert A Sertich Deputy Coroner 706 Buffalo Sheboygan Falls Wis 53085		93		94		95	
96 REGISTRAR		97 DATE RECEIVED BY REGISTRAR		98		99	
100		101 July 9 1984		102		103	
104 IMMEDIATE CAUSE		105 (ENTER ONLY ONE CAUSE PER LINE FOR ( ) (b) AND ( ) )		106		107	
108 (a) FRACTURE SKULL		109		110		111	
112 (b) TRAUMATIC HEAD INJURY		113		114		115	
116		117		118		119	
120 PART II		121 OTHER SIGNIFICANT CONDITIONS C d o b g d h b o i d t g		122 PART I ( )		123	
124		125		126		127	
128		129		130		131	
132 DATE OF INJURY		133 HOUR OF INJURY		134 DESCRIBE HOW INJURY OCCURRED		135	
136 July 6 1984		137 12:50 PM		138 PASSENGER IN A SMALL TRAILER BEHIND AN TERRAIN VEHICLE		139	
140 PLACE OF INJURY (Sp ty) I		141		142 LOCATION		143	
144 FARM Field		145		146 PH1 Adell TRAILER BEHIND TERRAIN VEHICLE		147	

Net on I S f ty  
Co I Cod  
193  
64

Type or Print in  
Permanent **Black**  
Ink

DOH 5040

Chap 69 W s Stats

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
ORIGINAL CERTIFICATE OF DEATH

STATE FILING DATE

STATE DEATH NO AUG 3 84 017274

LOCAL FILE NUMBER

DECEDENT NAME F M ddi L		SEX	DATE OF DEATH
Dawn Marie HEEG		<input type="checkbox"/> M <input checked="" type="checkbox"/> F	July 27, 1984
RACE (g wh Bl k H q Am Id)	AGE L B ha v	UNDER 1 YEAR	UNDER 1 DAY
White	7		
DATE OF BIRTH		COUNTY OF DEATH	INSIDE CITY OR VILLAGE LIMITS
May 17, 1977		Wood	<input checked="" type="checkbox"/> Y <input type="checkbox"/> No
CITY VILLAGE OR TOWNSHIP OF DEATH		HOSPITAL OR OTHER INSTITUTION-N m	IF HOSP OR INST
Marshfield		St Joseph's Hospital	<input checked="" type="checkbox"/> DOA <input type="checkbox"/> OP/Em Rm
STATE OF BIRTH (U S A m y l)	CITIZEN OF WHAT COUNTRY	MARITAL STATUS	SURVIVING SPOUSE (U w f g m de n m)
Wisconsin	U S A	<input type="checkbox"/> 1 M d <input checked="" type="checkbox"/> 4 N M d <input type="checkbox"/> 2 S p d <input type="checkbox"/> 3 D d	
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (g k d f w k do d g m of w k g)	KIND OF BUSINESS OR INDUSTRY
388-84-7643		Student	Parochial School
RESIDENCE STATE	COUNTY	CITY VILLAGE OR TOWNSHIP OF RESIDENCE	INSIDE CITY OR VILLAGE LIMITS
Wisconsin	Marathon	Town of Brighton	<input type="checkbox"/> Y <input checked="" type="checkbox"/> No
FATHER NAME F M ddi L		MOTHER MAIDEN NAME F M ddi L	STREET AND NUMBER
August C. Heeg, Jr.		Joanne M Huser	Route # 1 Box 144, Unity
INFORMANT NAME (T p P )		MAILING ADDRESS S o RFD No C ty V il g S Z p	
August C Heeg, Jr.		Route # 1 P O Box 144 Unity, Wisconsin 54488	
CEMETERY OR CREMATORY NAME		LOCATION C V il g S	
St Mary's Cemetery		Town of Colby, Clark County, Wisconsin	
FUNERAL SERVICE LICENSEE O P p d g a y s h		NAME OF FACILITY	
DuWayne Kundinger		Rembs/Kundinger FH	
ADDRESS OF FACILITY S RFD No C y V il g S Z p		ADDRESS OF FACILITY S RFD No C y V il g S Z p	
300 South Oak Ave Marshfield, WI 54449		300 South Oak Ave Marshfield, WI 54449	
DATE SIGNED		HOUR OF DEATH	
July 30, 1984		D O A. 1 20 P M	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (T y p P )		PRONOUNCED DEAD	
		July 27, 1984	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN MEDICAL EXAMINER OR CORONER) (T p P )		PRONOUNCED DEAD (H )	
Marvin G Nelles, Marathon County Deputy Coroner 1007 West Bridge St. Wausau, WI. 54401		1 20, P. M	
REGISTRAR		DATE RECEIVED BY REGISTRAR	
Durdona Hamilton CHO		JUL 31 1984	
IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR ( ) (b) AND ( ) )		PART I	
Severe Head injury		Instant	
All Terrain Vehicle accident		Instant	
Losing control of vehicle		Instant	
OTHER SIGNIFICANT CONDITIONS Co d o o b g d h b ot l d to s g		AUTOPSY	
		<input type="checkbox"/> Y <input checked="" type="checkbox"/> No	
DATE OF INJURY		HOUR OF INJURY	
July 27, 1984		12 55 P.M.	
INJURY AT WORK		DESCRIBE HOW INJURY OCCURRED	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Lost control of vehicle while giving ride to 20 mo. old nephew. Rolled over Rt. One Unity, Wisc. 54488	

8212  
A d U c o d  
N I I S I V  
C I C o d  
5 2 1  
2 4