

Testimony
House Bill 1241
Transportation Committee
Friday, March 3, 2017; 9:00 a.m.
North Dakota Department of Health

Good morning Chairman Laffen and members of the Transportation Committee. My name is Mandy Slag, and I am a registered nurse in the Division of Injury Prevention and Control in the North Dakota Department of Health (NDDoH). I am here to provide information regarding House Bill 1241.

HB 1241 would lower the age to drive an off-highway vehicle to age ten on public land and allow any age child to operate an off-highway vehicle on private land. Under the bill, on public land, 10-11 year olds would need to be in the presence of a parent, take the off-highway safety training course and receive the certificate or be on private land. Children ages 12 and older do not need to be in the presence of a parent, but would need to complete the same training and receive the certification.

According to the Consumer Product Safety Commission (CPSC), many deaths and injuries occur when an inexperienced driver loses control of an all-terrain vehicle (ATV), is thrown from an ATV, overturns the vehicle, or collides with a fixed object or motor vehicle. The CPSC reports that in 2014, there were an estimated 93,700 ATV related, emergency department treated injuries in the United States. An estimated 26 percent of these injuries involved children younger than 16 years of age. According to the NDDoH Trauma Registry, from 2009 to the first nine months of 2016, a total of 1,953 individuals were injured on ATVs in North Dakota. In North Dakota, 18 percent of ATV injuries were to individuals under age 15.

As public health professionals, the NDDoH follows the recommendations for best practices from reputable and reliable organizations, such as the American Academy of Pediatrics (AAP) whose recommendations form the basis of pediatric preventive health care. The AAP issues policy statements and practice guidelines on a broad range of topics, including childhood injury prevention. The AAP states “Off-road vehicles are particularly dangerous for children younger than 16 years who may have immature judgment and motor skills. Children who are not licensed to drive a car should not be allowed to operate

off-road vehicles. Injuries frequently occur to passengers; therefore riding double should not be permitted.”

According to the Consumer Product Safety Commission (CPSC), more than 90 percent of ATV-related injuries involving children can be attributed to a lack of developmental skills needed to maneuver the faster, more powerful adult ATVs. The CPSC also cites children younger than 16 should be on age appropriate youth models, which are required to travel at lower speeds than adult ATVs and to have an adjustable speed limiter. In fact, the CPSC and many consumer advocates recommend that children age 12 through 15 not ride ATVs with engines larger than 90 cc's. All ATVs should be equipped with a label that indicates the manufacturer's recommended age for that particular model.

The CPSC states that children younger than 6 years of age should never be on any ATV -- either as a driver or passenger. Again, if passed into law, this bill would allow a child of any age (including 6 years and under) to operate an ATV if on private land.

Both the AAP and the CPSC recommend, and NDDoH agrees, that riders wear helmets when operating or riding on ATVs. These helmets should be certified by the U.S. Department of Transportation and/or the Snell Memorial Foundation. The AAP recommends that laws should be passed in all states requiring motorcycle-style helmets for off-road use. Helmet laws have been proven to increase helmet use, and helmet use has been proven to reduce death and serious head injuries.

Because parents may be under the impression that North Dakota laws represent best practices for safety, we have concerns about the impact this bill may have on childhood injury and death rates in our state. The NDDoH suggests that the committee consider the recommendations from the AAP and CPSC regarding age limits for ATV use. At a minimum, any child under age 16 should operate only age-appropriate vehicles, whether on public or private land.

This concludes my testimony. I am happy to answer any questions you may have.