



Canadian Off-Highway Vehicle Distributors Council  
Conseil Canadien des Distributeurs de Véhicules Hors Route

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October 20<sup>th</sup>, 2010

Select Committee on the Safe operation and use of Off-Road Vehicles  
Yukon Legislative Assembly Office  
PO Box 2703- (A-9)  
Whitehorse, YK, Y1A 2C6

Dear members of the Select Committee,

The Canadian Off-Highway Vehicle Distributors Council (COHV), originally founded in 1984, is a national, non-profit, trade association which represents the responsible interests of the major off road motorcycle and ATV distributors, as well as the manufacturers, distributors and retail outlets of OHV-related products and services, and individual owners and riders of off-highway vehicles in Canada. Member companies, such as Arctic Cat, BRP (Can-Am), Honda, Kawasaki, KTM, Polaris, Suzuki and Yamaha are committed to the integrity of the OHV industry.

As distributors of off-highway vehicles, we have made it our mission to educate and train the general public on the safe and responsible use of all terrain vehicles and off-road motorcycles. Obviously, we want our customers to use our products safely and responsibly. As responsible-minded companies, we are constantly working with stakeholders who share the same goals.

As an industry group, we certainly believe in the importance of working with governments and the public on legislation. That way, it is possible to have legislation that works, is enforceable and includes the very important component of public education and training. Evidently, we are always on the look out to find studies and research that will enable us to better understand the safety issues surrounding the usage of All Terrain Vehicles and off road motorcycles.

At this time, we want to share our views with your government as you are consulting on regulation that will dictate the use of off-highway vehicles. We will offer you our ideas and suggestions for both the use of ATVs and off-road motorcycles.

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## **1- All-Terrain Vehicles**

One of the aspects of ATVing that has been studied in-depth concerns children and their safety. It is clear that certain specific safety measures have been identified as having a positive impact on injury prevention. Such measures include rider education, training, proper size of vehicle, parental supervision and maximum speed allowance.

It has been shown that when riding an appropriately-sized youth model ATV, there are less injuries than many other recreational activities. Data from such highly recognized groups as the Consumer Product Safety Commission (CPSC) and the Canadian Institute of Health Information (CIHI) confirm that recreational injury hospitalizations related to riding an appropriately-sized ATV was lower than that related to other recreational activities such as riding a bicycle, using playground equipment and playing hockey.

However, in order to enhance rider safety as much as possible, we recommend that youth-sized ATVs be used only in the appropriate environment, under mandatory parent surveillance.

### **A - Operators under 16 years**

The Canadian Off-Highway Vehicle Distributors Council (COHV) has developed a voluntary standard for four wheel ATVs which prohibits youth under 16 years of age from riding on a full-sized ATV. It is the industry's position that children under 16 years of age should ride age-appropriate sized ATVs, and always with adult supervision. All of our member companies adhere to these recommendations and affix a warning label on every ATV.

### **B- Categories**

Our accepted definition of youth model ATV is based on the Consumer Products Safety Commission and the ANSI-SVIA voluntary standard. Based on this standard, a machine intended for recreational off-road use under adult supervision by operators under age 16 can be categorized as follows:

Category Y-6+ ATV: a youth model ATV intended for use by children age 6 or older.

Category Y-10+ ATV: a youth model ATV that is intended for use by children age 10 or older.

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Category Y-12+ ATV: a youth model ATV that is intended for use by children age 12 or older.

Category T (transition model) : an ATV of appropriate size that is intended for recreational use by an operator age 14 or older under adult supervision, or by an operator age 16 or older.

### **C- Maximum speed**

In its May 31 2006 report, The Consumer Product Safety Commission (CPSC) explains that limiting maximum speed is the most critical safety factor for youth ATV models.

It is quite obvious that not all children fit the same mould. In effect, there is a wide variation in physical dimensions of young people. Given that fact, the CPSC noted ATV manufacturers could produce a variety of ATV models that meet speed restrictions but are more appropriately sized to the different height and weight of young people.

The CPSC has found that by having the option of riding better-fitting ATVs, more youth will ride age-appropriate and speed restricted ATVs rather than using adult ATV models.

This is a very important issue since youth riders' risk of injury decreases significantly when riding the appropriate size ATV. It is well-documented by the CPSC that over 90% of youth fatalities and injuries occur on adult-size ATVs.

As established by CPSC national legislation, the speed for each category of youth ATV is as follows:

Category Y-6+ ATV: Maximum speed of 16 km/h or less. At this speed, parents can easily follow the rider very closely.

Category Y-10+ ATV: Maximum speed of 24 km/h or less.

Category Y-12+ ATV: Maximum speed of 24 km/h or less.

Category T (transition model): Maximum speed of 32 km/h or less.

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## **D- Mechanical requirements**

The COHV industry standards stipulate some specific mechanical requirements for youth ATVs.

**i-lighting:** Youth ATVs should not be equipped with a projecting headlamp or a forward facing light. Such a measure is very helpful in discouraging nighttime riding.

On this issue, the CPSC found that riding ATVs at night is a significant risk factor for children. In order to avoid that risk as much as possible, and to avoid having youth riding unsupervised, the COHV suggests strongly that headlamps be formally prohibited from youth ATVs.

**ii- throttle:** youth ATVs should be equipped with a means of limiting throttle travel or other means of limiting the maximum speed attainable by the ATV. Most of Y-6 ATVs are equipped with a safety tether for adults to control the riding.

## **E- Training**

ATVs are not toys – indeed, they are motorized vehicles that necessitate repeated practice to ride capably.

The greatest risk of injury generally occurs with inexperienced riders. This means obviously the benefits of training to new ATV riders could be considerable.

Analysis conducted by the CPSC has identified a strong inverse relationship between riding experience and the risk of hospital emergency department-treated injury. The analysis indicates that risk in the first year of riding was about 65 percent higher than the risk in the second year, and about twice the risk of the third year.

In addition, through our experience in rider training and safety education, we have seen many benefits of allowing adult-supervised youth to learn to ride appropriately-sized youth model ATVs. The most important factors are that children are able to learn in a safe environment at an age where cognitive skills

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and motor skills are most receptive to adult training and supervision. This leads to a much greater appreciation for and understanding of:

- riding safely, which will benefit them their whole life;
- respecting nature and natural resources; and
- being aware of environmental protection.

### **F – adult supervision**

The COHV supports mandatory close adult supervision by an adult at least nineteen years of age or older for all youth under 16 years of age.

### **G – recommendations**

The COHV would make the following recommendations to the commission as it relates to off-highway youth size vehicles:

- that rider education materials be provided for all riders under 16 years of age;
- that children under the age of 6 should not be permitted to operate an ATV;
- that all youth under 16 years of age must be supervised by an adult at least nineteen years of age or older.
- that four categories of youth size vehicles be instituted by the territory of Yukon, with maximum speeds identified, as follows:

Category Y-6+ ATV: a youth model ATV intended for use by children age 6 or older. Maximum speed of 16 km/h or less.

Category Y-10+ ATV: a youth model ATV that is intended for use by children age 10 or older. Maximum speed of 24 km/h or less.

Category Y-12+ ATV: a youth model ATV that is intended for use by children age 12 or older. Maximum speed of 24 km/h or less.

Category T (transition model) : an ATV of appropriate size that is intended for recreational use by an operator age 14 or older under adult supervision, or by an operator age 16 or older. Maximum speed of 32 km/h or less.

- that mechanical requirements should
  - a -prohibit the installation of headlamps
  - b -include a device limiting the maximum speed attainable by the ATV

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## 2- Off-road motorcycles

Off-road motorcycles have been widely available for many decades. Well before the impressive gain in popularity by ATVs, off-road motorcycles have been the outdoors vehicle of choice of many individuals and families alike.

Even though sales of motorcycles have gone down for the past couple of years given the growing popularity of ATVs, many off-road motorcycles are used in Yukon every year.

This means it is still very much a popular sport and many enthusiasts take to the trails on them every day. Youth are still attracted very much to off-road motorcycling.

For off-road motorcycles, the dynamics are very different from ATVs as far as what the appropriate size of the vehicle should be for youth. Simply put, there is a self-limiting size aspect with off-road motorcycles. Basically, whenever you mount a motorcycle, your feet have to touch the ground, which enables riders to recognize right away when a motorcycle is too big for them. However, we do recommend the following for the motor size:

1-all off-road motorcycles designed for competition be excluded from the regulations;

2- for non-competition off road motorcycles, individuals under the age of sixteen must be able to touch the balls of both feet on the ground when straddling the seat of the off-road motorcycle;

3-youth aged 14 and 15 years old may only operate a non-competition off-road motorcycle of 240 cc or less;

4-youth aged 12 and 13 years old may only operate a non-competition off-road motorcycle of 150 cc or less;

5-youth under the age of 12 years may only operate a non-competition off-road motorcycle of 120 cc or less;

6-no child under the age of 6 may operate an off-road motorcycle;

7-any child under the age of 14 must be supervised by an adult aged 19 years or older while riding a non-competition off-road motorcycle.

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We hope our ideas and suggestions will be helpful in the preparation of your new regulations. Please be assured the COHV would appreciate the opportunity to discuss these in further detail at a time that is convenient for you.

Sincerely,



Luc Fournier  
Director of Policy and Government Relations

