

2019 Memorandum in Support

Bill: A6087 by Assembly Member Paulin and S5035 by Senator Harckham

Title: Relates to the operation of all-terrain vehicles by minors. Increases the age for use of ATVs by minors from age ten to fourteen.

The Adirondack Mountain Club (ADK) Supports this Legislation.

This legislation would amend Vehicle and Traffic Law, Section 2409 (2), and Section 2410 (1) and (2) of Article 48C to ensure that children are not permitted to drive ATVs anywhere except on lands owned or leased by their parent or guardian, unless they are supervised by an adult who is 18 years or older. This legislation would permit young adults aged 14 and older to ride ATVs and to obtain an ATV safety certificate upon completion of a Department of Motor Vehicles (DMV) approved safety course.

The critical need for this legislation is highlighted by fatalities and accidents involving children driving ATVs. One-third of ATV related deaths have been children younger than 18 years of age.¹ Since 2000 the American Academy of Pediatrics has recommended that ATV use be restricted to those aged 16 and older.²

Consumer Product Safety Commission reports show that there are about 30,000 children each year under the age of 16 taken to emergency rooms because of ATV related injuries.³ This safety threat to our children is totally unacceptable. Because of flawed sections of Vehicle and Traffic Law in New York State, young children can currently ride ATVs on highways with traffic putting themselves and other drivers in great danger. It is hard to understand how this safety issue has been permitted to persist.

This legislation is a step in the right direction in fixing issues with ATVs, especially those that put young children at risk.

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¹ <https://pediatrics.aappublications.org/content/pediatrics/134/6/1094.full.pdf>

² <https://www.reuters.com/article/us-health-children-atv-injuries/kids-still-getting-hurt-riding-atvs-despite-safety-warnings-idUSKBN1A422F>

<https://pediatrics.aappublications.org/content/pediatrics/134/6/1094.full.pdf>

³ <http://www.ncsl.org/research/transportation/all-terrain-vehicle-safety-resources.aspx>

<https://www.cpsc.gov/content/2017-annual-report-of-atv-related-deaths-and-injuries>