

# Massachusetts New ATV Law

Carlene Pavlos, Director  
Division of Violence and Injury Prevention  
Massachusetts Department of Public Health






# ATV Injury In Massachusetts

- Of more than 3,000 cases of ATV injury in Massachusetts in 2004-2005, nearly 1,000 involved children 16 or younger.
- Nearly 1/3 of ATV fatalities and injuries nationwide occur in the under-16 age group.
- Nationally, ATV deaths have been on the increase. According to the Consumer Product Safety Commission, between 1982 and 2004 annual fatalities for all ages rose from a low of 29 to an estimated high of 767 in 2004. More than 7,000 ATV-related deaths were reported in that period.
- Younger children have a higher risk of injury. More than 40% of ATV-injured children required intensive care and 8% required inpatient rehabilitation after being hospitalized for severe, disabling wounds.
- The injury rate for children per 100 registered ATVs is about double that for adults – 3.41 vs. 1.71.



# ATV Legislation's History in MA

- Work began on a bill to prohibit use for those under 16 in 2007, both MassPINN and MDPH participated
- In 2008 a cadre of advocates including childhood injury prevention professionals, trauma physicians, hospitals, and families of injured children all focused on this legislation
- Challenges to passage focused on industry touting protective gear and education as alternatives, libertarian concerns, and worries of impeding rural communities' use of ATVs not only for recreation, but for farming and other work purposes



# A New Twist: *A Community of Practice*

- In 2009, Children's Safety Network Director Sally Fogerty, along with Erica Streit Kaplan, convened seven northeastern states in a "community of practice"
  - Meet, exchange ideas, and collaborate to prevent injuries to children and youth in rural communities
  - The Massachusetts "team" involved Violence and Injury, Maternal and Child Health and Rural Health
  - Massachusetts chose to focus on ATV use
  - CSN brought in experts in ATV safety from other states to provide information and guidance



# Results:

- The cross-Bureau DPH participation raised the level of awareness of the danger of ATVs for children across the Department
- Rural legislators were brought on board by the buy in from Rural Health
- The existing multidisciplinary coalition continued to work, advocate, and strategically respond to challenges
- MassPINN became further invigorated and active on the issue through communications from the community of practice
- In the 2010 session, the legislation passed and Massachusetts now has one of the strongest pieces of ATV legislation in the country



# Provisions of the Massachusetts Law

- ❑ no person under 14 years of age can ride an all terrain vehicle or recreation utility vehicle
- ❑ limits the engine size of ATVs for children between the ages of 14 and 16
- ❑ requires owners of ATVs under the age of 18 to successfully complete a recreation vehicle safety and responsibility course before operating their vehicle
- ❑ requires the use of a helmet for all operators of an ATV



Questions/Comments?