



April 20, 2009

The Honorable Barbara Boxer, Member
United States Senate
Committee on Commerce, Science and Transportation
112 Hart Senate Office Building
Washington DC 20510

Dear Senator Boxer,

As the Chair of the California State Parks, Off-Highway Motor Vehicle Recreation (OHMVR) Commission, I would like to express our support of S. 608 (with suggested amendments) and H.R. 1587 which would allow for the sales of youth sized off-highway motorcycles, all-terrain vehicles (ATVs) and snowmobiles. We appreciate the authors providing a sensible solution to the problems raised by the passage of the Consumer Product Safety Improvement Act (CPSIA), Section 101(b). In its current form, the CPSIA Act effectively prohibits the sale of all youth sized off-highway vehicles (OHVs) due to concerns about the presence of very small quantities of lead in some vehicle components. We believe these vehicle components do not pose a significant health threat to youth riders. In actuality these sales restrictions create a more dangerous threat to the safety of our children in California.

The State of California provides youth training programs for children ages 6-18 on the safe and responsible operation of OHVs. Our safety training programs have been instrumental in reducing accidents by educating young riders and their parents and guardians in the safe operation of these recreational vehicles. In addition, this training provides a venue to educate future generations of OHV enthusiasts to be conscientious participants in this recreation activity by being respectful of private property and the environment. The current ban on the sale of these vehicles and replacement parts, as a result of the CPSIA, has put this very successful program in jeopardy.

It is imperative that Congress support S. 608 and H.R. 1587. It is also critical that S. 608 be amended to modify the existing language which identifies the starting age of children on OHVs at age 7. Existing standards and practices provide for children 6 and older to ride OHVs. This age was adopted by the Consumer Product Safety Commission and is followed by many states throughout the country. Failure to amend S. 608 to reflect age 6 will negatively affect our ability to administer, what has been proven over many years to be, a very successful program.

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OHV recreation is an extremely popular activity in California for people of all ages. The existing restriction on sales of vehicles sized for young children is having a devastating effect on families and people who want to recreate responsibly. The passage of S. 608 and H.R. 1587, with the amendment of S. 608 to include riders starting at age 6, will provide a sensible solution that will help to ensure youth safety by providing vehicles built and designed for their smaller stature. It is imperative that Congress support S. 608 and H.R. 1587 to ensure children's access to appropriately sized vehicles. The training and safety of thousands of children that participate in OHV recreation in California depends on it.

Sincerely,



Gary Willard, Chair
California Off-Highway Motor Vehicle Commission

c.c. Mark McMillin, Vice Chair, OHMVR Commission
Brad Franklin, Member, OHMVR Commission
Eric Lueder, Member, OHMVR Commission
Kane Silverberg, Member, OHMVR Commission
Paul Slavik, Member, OHMVR Commission
Stan Van Velsor, Member, OHMVR Commission
Arnold, Schwarzenegger, Governor State of California
Ruth Coleman, Director
Daphne Greene, Deputy Director, OHMVR Division
Senator John D. Rockefeller (D-WV)
Representative Henry Waxman (D-CA, 30)
Senator Kay Bailey Hutchinson (R-TX)
Representative Joe Barton (R-TX)

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Diana DeGette	CO-1	Member House Committee on Energy and Commerce

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