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MOTORCYCLE INDUSTRY COUNCIL AND SPECIALTY VEHICLE INSTITUTE OF AMERICA DISAPPOINTED THAT CPSC CHAIRMAN NANCY NORD INTENDS TO VOTE AGAINST INDUSTRY PETITIONS.

IRVINE, Calif., April 3, 2009 -- The Motorcycle Industry Council (MIC), the Specialty Vehicle Institute of America (SVIA) and its members are disappointed that Consumer Product Safety Commission (CPSC) Chairman Nancy Nord announced today that she intended to vote against the petition that our industry submitted for an exclusion for all-terrain vehicles (ATVs) and motorcycles from the lead content limits found in the Consumer Product Safety Improvement Act (CPSIA). We believe that the petition submitted to the agency was based on sound science and showed that there is no measurable risk to children resulting from lead exposure from these products.

Regarding a proposed stay of enforcement, "we need to review the actual text of such a stay before we can comment. In addition, it is important to note that CPSC Commissioner Thomas Moore has not yet commented on the petition, nor do we know the position of the state attorneys general on this matter," said Paul Vitrano, general counsel for the MIC and SVIA. We agree with Chairman Nord that "all stakeholders—industry, users, Congress, and the Commission—need to come together to fix the statutory problems that have become so apparent, in a common sense approach that does not unnecessarily burden those regulated, yet provides safety for American families."

We are also in agreement with Chairman's Nord's comment that "the lead content mandates of the CPSIA to the products...may have the perverse effect of actually endangering children by forcing youth-sized vehicles off the market and resulting in children riding the far more dangerous adult-sized ATV's." CPSC, consumer advocates and industry have worked for years to get kids onto youth model ATVs – many of which are now not available because of the unintended consequences of this legislation.

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It is now obvious that the only solution to this problem is that Congress needs to fix the CPSIA and put the safety of our children first. Congress needs to end the ban as soon as possible so parents once again have access to appropriate-sized youth model ATVs and motorcycles for their children.

Yesterday the CPSC staff strongly suggested that they would have recommended relief under a risk-based standard. “The staff agrees that exposure to lead from motorized recreational vehicles would likely be relatively low...,” stated the staff recommendation. At the same time, CPSC staff acknowledged: “A bigger safety concern than lead exposure is that the elimination of youth ATV sales will most likely increase the number of adult ATVs purchased to be used by younger children; therefore increasing the risk of injury and death.”

“As a result of Chairman Nord’s announcement, we must intensify all efforts to get Congressional support for a regulatory or legislative fix,” said Tim Buche, president of MIC. “One way is to strongly advocate two new bills that have been introduced, S. 608 and H.R. 1587.”

Introduced by U.S. Sen. Jon Tester, D-Mont., on March 17, S.608 would amend the CPSIA to exclude secondary sales, repair services and certain vehicles, including youth ATVs and motorcycles, from the ban on lead in children’s products.

U.S. Reps. Denny Rehberg, R-Mont., Michael Burgess, R-Texas, Earl Pomeroy, D-N.D., and Mike Simpson, R-Idaho, introduced H.R. 1587 on March 18 in the U.S. House of Representatives to amend the lead prohibition provisions of the CPSIA to provide an exemption for certain off-highway vehicles, along with other purposes.

The MIC is urging its members, dealers, and enthusiasts to act and show their support for S. 608 and H.R. 1587 by contacting their members of Congress and appropriate committee members via www.StopTheBanNow.com.

MIC statements, news releases, video testimonials, news articles, and additional information regarding the CPSIA are also available at www.StopTheBanNow.com.

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Immediate updates are available via Twitter by following paulvitano.

The Motorcycle Industry Council exists to preserve, protect and promote motorcycling through government relations, communications and media relations, statistics and research, aftermarket programs, development of data communications standards, and activities surrounding technical and regulatory issues. It is a not-for-profit, national trade association representing manufacturers and distributors of motorcycles, scooters, motorcycle/ATV/ROV parts and accessories, and members of allied trades such as publishing companies, advertising agencies, insurance firms and consultants.

The MIC is headquartered in Irvine, Calif., with a government relations office adjacent to Washington, D.C. The organization has been in operation since 1914.

Since 1983, the Specialty Vehicle Institute of America[®] has promoted the safe and responsible use of All-Terrain Vehicles through rider training programs, public awareness campaigns, and state legislation. The SVIA also serves as a resource for ATV research, statistics, and vehicle standards. The SVIA, based in Irvine, Calif., is a not-for-profit trade association sponsored by Arctic Cat, BRP, Honda, Kawasaki, KTM, KYMCO, Polaris, Suzuki, Tomberlin, Tomoto and Yamaha. For membership information, call (949) 727-3727. For safety information or to enroll in the ATV *RiderCourse*SM nearest you, visit www.atvsafety.org and click on “Online Enrollment” or call (800) 887-2887.

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