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MIC/SVIA RESPONSE TO CPSC REJECTION OF LEAD STANDARD EXCLUSION PETITION AND PROPOSED STAY OF ENFORCEMENT

IRVINE, Calif., April 17, 2009 -- The Motorcycle Industry Council (MIC) and the Specialty Vehicle Institute of America (SVIA) are disappointed that the Consumer Product Safety Commission (CPSC) announced that they intend vote today to reject 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).

Both Commissioners have proposed a stay of enforcement, acknowledging that the current ban on youth model ATVs and motorcycles means larger and faster adult-size vehicles become likely alternatives for children 12 years of age and younger that as Acting Chairman Nord stated, "increas[e] their risk of injury or death." Commissioner Moore stated, "There are compelling safety arguments that justify a stay of enforcement."

"While we are pleased that both Commissioners recognize the importance of ending the ban on youth model vehicles, we need to review the actual text of the proposed stay," said Paul Vitrano, general counsel for the MIC and SVIA. It is also important to note that, even if a stay of enforcement can be implemented by the CPSC, this is not a solution and would only be a temporary reprieve as to the agency's enforcement of the ban. It would not apply to state Attorney Generals or address other unintended consequences of the lead ban.

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“With today's vote, it is now obvious that the only permanent solution is for Congress to end the ban once and for all by amending the Consumer Product Safety Improvement Act (CPSIA) so parents once again have access to appropriate-sized youth model ATVs and motorcycles for their children,” said Paul Vitrano.

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.

The Motorcycle Industry Council 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.

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