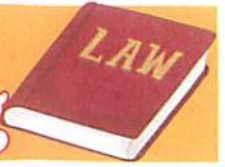




# Around Our Town... Legally Speaking



## Public Roads Create Risky Riding for ATV Drivers



In Wyoming, riding all-terrain vehicles (ATVs) has become very common both for work and for recreation. However, as the popularity of ATVs has risen to an all-time high across the country, so too have deaths and injuries. Despite warnings from manufacturers, federal agencies, and consumer and safety advocates that ATVs are unsafe on roadways, they're showing up there more and more, partly

because of relaxed state and local laws. The result? Nearly two-thirds of fatal ATV crashes occur on public or private roads. According to a recent report, there have been 57 reported fatalities in Wyoming between 1982 and 2011, including seven fatalities of children under the age of 16. Yet, ATVs continue to share the roads with cars and trucks in cities, towns and counties across the nation. Before you strap on a helmet and turn the key, you should know the risks associated with these powerful vehicles.

ATVs are not designed for use on paved roadways. Their knobby, low-pressure tires are designed for off-road use and may not interact properly with a paved surface. Plus, they have a high center of gravity and a narrow wheelbase that prevent them from being easily controlled on paved roads. Carrying passengers, which is illegal in some states, makes ATVs even more likely to tip or roll over. So why are so many people driving them on public roads? Despite warnings that driving ATVs on roadways is risky, this dangerous practice is still

allowed by a number of states, including Wyoming. According to a report by the Consumer Federation of America, 35 states allow ATVs on designated roads, limited stretches of roads or on the shoulder of roads.

Because ATVs are not manufactured for on-road use, they do not qualify as "motor vehicles" and are not regulated by the U.S. Department of Transportation. That means states have the authority to allow ATVs on public roads. The latest data from the Consumer Product Safety Commission found 13,043 ATV-related fatalities occurring between 1982 and 2013, with 3,023 of those to children younger than 16. "An ATV is basically a chassis with four wheels and a high center of gravity, so it's inherently unstable. And the driver's body movement is an integral part of the handling," says Todd M. Emanuel, R.N., injury prevention coordinator for Mayo Clinic's emergency services in Rochester, Minnesota. "Most kids don't have the size, physical strength and balance to control these vehicles, especially adult-sized ones. It's just too much machine for small bodies."

ATVs can be a fun way to spend time in the great outdoors, but they can be just as dangerous as cars, motorcycles, trucks or sport utility vehicles, reinforcing the need for safe operating procedures. Follow these safety tips from the ATV Safety Institute when riding or driving:

- Never ride on paved roads except to cross when done safely and permitted by law.
- Always wear a DOT-compliant helmet, goggles, long sleeves, long pants, over-the-ankle boots and gloves.
- Never ride under the influence of alcohol or drugs.
- Never carry a passenger on a single-



rider ATV, and carry no more than one passenger on an ATV specifically designed for two people.

- Ride an ATV that is rated for your age. ATVs are not toys; supervise riders younger than 16.
- Ride only on designated trails and at a safe speed.
- Consider taking a hands-on ATV RiderCourse or the free online E-Course at [ATVsafety.org](http://ATVsafety.org).

We at the Injury Law Firm™ encourage you to use ATVs safely and in full compliance with the safety rules set by the manufacturer and the laws of Wyoming. Don't become a statistic. Ride and enjoy them safely!

*Nothing in this article should be construed as legal advice. You must consult with an attorney for the application of the law to your specific circumstances.*

*R. Michael Shickich is the founder of the Injury Law Firm™ located in Casper. The focus of his practice is personal injury and wrongful death cases.*