

**The Power of Three-Letter Words**  
**How "Any" Changes the Lives of Hundreds of Thousands of Americans**  
By Tim Buche

Any. An innocent three-letter word, one would think. For hundreds of thousands of Americans and for the powersports industry, it is the most powerful word in the dictionary today. And it's led to another three-letter word with enormous impact: ban. Three-letter words that could halt a recreational enjoyment of the great outdoors for parents with their children all across America. Three-letter words that are compounding how thousands of small businesses are already dealing with the economic challenges of the recession.

The powersports industry is caught in the middle of a fight over words between Congress and the Consumer Product Safety Commission about the lead standards in the Consumer Product Safety Improvement Act. Congress voted the act into legislation last summer and the new lead content limits were implemented last month. Many critics of the legislation believe that a wide range products have unintentionally been swept up in this legislation, which resulted in a ban of many all-terrain vehicles and off-highway motorcycles designed for youth.

Several senators and congressmen have written to, and met with, CPSC to point out that the legislation they wrote and signed into law gave CPSC the power to grant merited, common-sense exclusions, for products such as ATVs and off-highway motorcycles, from the lead standards. But CPSC says a product can be excluded only if regulators determine that use of the product will not result in the absorption of "any" lead in the human body.

Putting aside the fact that kids won't eat or lick their ATVs or motorcycles, the industry, in fact, submitted scientific evidence to the CPSC using the analytical method required by the legislation. The evidence demonstrates that the lead-containing components, parts and accessories of these vehicles - essential for safety or functionality purposes - pose no risk of causing measurable increase of lead in the blood stream in children aged 12 and younger.

In fact, in the scientific evidence submitted, a toxicology expert estimated that any potential lead intake resulting from kids' exposure to motorcycles and ATVs would be substantially less than the typical daily intakes of lead from food and water. Yet these vehicles still sit in warehouses and not on showroom floors. Meanwhile, the sales of goods like protective gear, accessories, and parts and services, are virtually non-existent.

The consequences of this ban are serious. With these ATVs unavailable to families, we may see more kids on ATVs designed for adults. We know this leads to crashes. The CPSC, the ATV industry, consumer groups, safety advocates and parents all agree that it's critical to keep riders under the age of 16 off of adult-sized ATVs. Collectively we 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. We also anticipate that families with smaller dirt bike enthusiasts may be tempted to put young riders on motorcycles that are too large for them. This also raises the risk of injury. This is no small concern. Hundreds of thousands of enthusiasts and their families will start to enjoy the great outdoors as warmer days roll in. It's as automatic as setting your

clock ahead one hour in the spring. And they won't be able to go to their local dealer to buy a right-sized ATV or dirt bike for their children, or get the parts they need to fix existing vehicles.

Did you know that if you went to your local dealer for repairs or parts for one of these vehicles that he most likely will not be able to fix the vehicle or sell you parts because some of the components may not comply with the new lead standards? It all adds up to potential massive losses for dealers, manufacturers, retailers and others - up to \$1 billion in retail economic value annually.

These products present no health risk to children. There is no practical reason for this industry and its customers to be harmed by an unintended effect of this law. Each day this ban continues compounds the severe hardship on families and businesses. The powersports industry, on behalf of businesses and families across the country who have written hundreds of thousands of letters to Congress and CPSC, continues to urge the CPSC to grant the industry's request for exclusions based on the evidence presented.

If CPSC believes its hands are tied because of the way the legislation was written, we ask Congress to amend the law to restore common sense and make exclusions available.

Here's another three-letter word that's just as powerful. Now.

*Tim Buche is president of the Motorcycle Industry Council and Specialty Vehicle Institute of America.*