



February 2, 2009

Acting Chairman Nancy Nord  
Commissioner Thomas Moore  
U.S. Consumer Product Safety Commission  
4330 East-West Highway  
Bethesda, MD 20814

RE: Consumer Product Safety Improvement Act

Dear Chairman Nord and Commissioner Moore:

The American Motorcyclist Association (AMA) is a not-for-profit organization, founded in 1924 and incorporated in Ohio. In partnership with our sister organization, the All-Terrain Vehicle Association (ATVA), we represent more than 300,000 motorcyclists and all-terrain vehicle (ATV) riders nationwide. Our members are interested in any action that may affect their enjoyment of motorcycle or ATV recreation. In this regard, we write to express our concern with the implementation of the Consumer Product Safety Improvement Act (CPSIA).

Because some youth-model off-highway motorcycles and ATVs are intended primarily for use by children ages 12 and younger, these vehicles are subject to the lead content limits specified in the CPSIA. According to motorcycle and ATV industry sources, most motorcycle and ATV components are compliant with the CPSIA's lead limits, but some components unavoidably contain small quantities of lead in excess of the CPSIA's limits. The nature and location of these components (i.e., battery terminals - which are usually behind a secure panel) suggests a very minimal exposure risk. Nevertheless, the AMA supports the efforts of the joint CPSC and the industry to minimize the exposure risk posed to youthful operators of these vehicles.

Of greater concern to our members is that, although the CPSC has published proposed procedures for seeking exclusion from the lead limits, there is no practical way for manufacturers and distributors of ATVs and off-highway motorcycles to seek and obtain exclusions prior to the February 10 effective date for the new requirements. Unless the CPSC acts

immediately to grant the manufacturers and distributors of motorcycles and ATVs emergency relief and a temporary exclusion from the lead limits for certain applications, a severe and unwarranted disruption in the supply of youth-model vehicles will occur.

Inaction on this issue will do irreparable harm to segments of the powersports industry that are already struggling with an unfavorable economy. The most vulnerable are the small dealers and suppliers -- the "mom and pop" shops in thousands of communities across America.

Even more alarming than the potential damage to business and industry are the potential, unintended safety consequences for motorcycle and ATV youth riders. As you know from our extensive work with the CPSC on youth ATV safety, our members are very concerned about the safety of young ATV and off-highway motorcycle riders. It is of utmost importance that young riders only ride appropriately sized machines. We've joined with the CPSC, the industry and other user groups to promote this important message. To suddenly eliminate the availability of all ATVs and motorcycles designed for riders ages 12 and under is counterproductive to all of the work that we have done together to promote youth rider safety. If emergency relief is not granted immediately, some consumers will very likely purchase vehicles that are physically too large for young riders, exposing them to unnecessary risk.

In summary, an unreasonable and rushed implementation of the CPSIA is unwarranted and unnecessarily harmful to the motorcycle and ATV riding communities, and may negatively affect youth motorcycle and ATV safety.

We respectfully request that you grant the manufacturers' and distributors' petitions for emergency relief and temporary exclusion from the lead limits of the CPSIA.

Sincerely,

Edward Moreland  
Vice President, Government Relations