



RECREATIONAL  
OFF-HIGHWAY  
VEHICLE  
ASSOCIATION

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October 27, 2014

VIA EMAIL AND U.S. MAIL

U.S. Consumer Product Safety Commission  
Chairman Elliot F. Kaye  
4330 East West Highway  
Bethesda, MD 20814

Re: CPSC / ROHVA Meeting

Dear Chairman Kaye:

On behalf of the Recreational Off-Highway Vehicle Association (ROHVA), I write to follow up on the September 23 meeting between Commission and ROHVA technical staff members. There was a broad consensus that the technical discussions were productive. The parties identified a discrete number of issues that, with further consideration, may very well bridge the differences between the staff's proposed rule and the current ANSI-ROHVA voluntary standard.

To that end, ROHVA respectfully urges that you postpone the October 29 vote on the NPR for a brief period and schedule another meeting between the parties within the next 10 business days or as soon as convenient for the Commission. Permitting this additional time would not materially delay action on the NPR, and is essential to preserve an opportunity for the parties to determine if these remaining issues can be resolved, consistent with the clear congressional preference for voluntary standards in the Consumer Product Safety Act. A bi-partisan group of United States Senators recently urged the Commission to allow additional time for precisely this reason.

As was evident at the September 23 meeting, CPSC and ROHVA share the same commitment to safety. A successful negotiated resolution would save both sides substantial time and effort, and result in mutually acceptable vehicle standards far more quickly, than a protracted rulemaking. If the NPR is voted out by the Commission this week, it will necessarily chill any further discussions and require ROHVA and its members to devote their time, attention, and resources to supporting the current ANSI-ROHVA voluntary standard.

If you are interested in pursuing these opportunities, please call me at your earliest convenience.

Sincerely,

Erik Pritchard  
General Counsel

cc (via email):

Commissioner Robert S. Adler  
Commissioner Ann Marie Buerkle  
Commissioner Joseph Mohorovic  
Commissioner Marietta S. Robinson