



**UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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Memorandum

Date: October 28, 2014

TO : The Commission
Todd A. Stevenson, Secretary

THROUGH: Stephanie Tsacoumis, General Counsel
Patricia Adkins, Executive Director

FROM : George A. Borlase, Assistant Executive Director
Office of Hazard Identification and Reduction
Caroleene Paul, Project Manager
Office of Hazard Identification and Reduction

SUBJECT: Staff Summary of Meeting with Recreational Off-Highway Vehicle Association (ROHVA)

Staff met with members of ROHVA and the Outdoor Power Equipment Institute (OPEI) on October 23 at the National Product Testing and Evaluation Center to discuss technical issues associated with recreational off-highway vehicles (ROVs). This memorandum summarizes the meeting discussions in advance of the upcoming Commission vote on the draft notice of proposed rulemaking (NPR). A more comprehensive meeting log will be posted on the agency's website.

The technical discussions covered lateral stability, vehicle handling, and occupant protection. Staff found the discussion to be productive, and staff felt that participants engaged in open and honest communication. Taking the discussion and information conveyed into consideration, staff has determined not to recommend any changes to the proposed performance standards set forth in the draft NPR. Specifically, staff still concludes that the requirements in the draft NPR are needed to reduce the risk of rollovers and improve occupant protection in the event of a rollover. For the reasons, and based on the materials, set forth in the NPR and supplemental materials included in the record, staff continues to believe that the record supports the Commission making the preliminary findings stated in the draft NPR:

- that the ANSI/ROHVA 2014 standard will not effectively reduce the deaths and injuries from operating or riding in an ROV;
- that the expected benefits from the draft NPR bear a reasonable relationship to the costs; and
- that no less burdensome methods exist that would adequately reduce the risk of injury.

As a result, staff stands behind its original recommendation that the Commission approve the draft NPR.

The productive technical dialogue resulted in several key insights, and the Commission could consider adding additional questions to the *Federal Register* notice to elicit further information during the NPR public comment period to help staff potentially refine the proposed performance requirements. Staff has identified the following general areas where additional information would be helpful:

1. technical challenges associated with implementing systems to limit maximum speed of the ROV when seat belts are not worn;
2. allowance for use of vehicle doors as meeting passive shoulder restraint requirement;
3. avoidance of excessive oversteer and understeer while preventing dynamic instability;
and
4. need for supplemental criteria in addition to specified lateral acceleration limits to avoid potential unintended consequences of a single criterion.