



# POLARIS®

## **SUPPORTING AMERICAN MANUFACTURING & INNOVATION BY PREVENTING UNNECESSARY REGULATION**



In 2009, the Consumer Product Safety Commission published an Advance Notice of Proposed Rulemaking for recreational off-highway vehicles (ROVs). Since that time the industry has made vehicle enhancements, heavily invested in driver safety training programs, and developed voluntary standards to address the leading causes of ROV incidents. Most recently, the industry updated the voluntary design standard in an attempt to be responsive to CPSC staff's suggestions.

Our industry has been extremely responsive to the CPSC's suggestions, but on September 24, 2014 CPSC issued a briefing package in support of a Notice of Proposed Rulemaking for a mandatory ROV design standard.

On October 17, 2014, twelve bi-partisan Senators sent CPSC a letter requesting that it defer a vote on the NPR and instead work with industry to reach agreement on a voluntary standard (see letter on reverse side). After productive discussions with CPSC staff on October 23, 2014, industry requested a brief delay in the vote to explore with CPSC a potential resolution of the rulemaking through further changes to the voluntary standard.

Notwithstanding those communications, on October 29, 2014, CPSC voted 3-2 in favor of issuing the NPR. Polaris opposes the proposed CPSC mandatory standard because there are significant gaps in the supporting data, there is an absence of correlation across all vehicles within the class between the proposed metrics and safety, and the proposed standards will lead to unintended safety consequences.

Polaris asks for Congress' support for legislation to prevent CPSC's proposed mandatory standard.

### **POLARIS SUPPORTS U.S. JOBS**

4,420 employees in 10 locations and in the field

1,512 dealers with 12,120 employees

568 suppliers in over 35 states

\$119 million in annual R&D investment

### **2013 POLARIS HIGHLIGHTS**

Created nearly 1,000 U.S.-based jobs

Doubled the size of Polaris' U.S.-based research & development initiatives (Wyoming, MN)

Opened a state-of-the-art distribution facility (Wilmington, OH)

Supported industry associations to promote the safe and responsible use of Polaris vehicles

Invested nearly \$2 million in our communities through Polaris Foundation

United States Senate  
WASHINGTON, DC 20510

October 17, 2014

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

Dear Chairman Kaye:

We write to express our continued commitment to public safety and support the U.S. Consumer Product Safety Commission (CPSC)'s decision to defer its vote on the pending Notice of Proposed Rulemaking (NPRM) regarding a mandatory safety standard for recreational off-highway vehicles (ROVs).

On September 24, 2014 you received a briefing package from CPSC staff recommending the proposed NPRM on ROVs which was based on comparison to the voluntary standard from 2011. On that same day, the American National Standards Institute (ANSI) approved the updated voluntary standard for ROVs (ANSI/ROHVA 1-2014). The updated 2014 voluntary standard was pursued by the industry after years of discussions with the CPSC staff in order to meet some of the concerns that were raised about the 2011 voluntary standards.

The CPSC is required by statute to assess the adequacy of a voluntary standard before moving towards mandatory standards. However, the briefing package delivered to you and your fellow Commissioners on September 24<sup>th</sup> does not address the updated voluntary standard, instead it assesses the adequacy of the now superseded standards from 2011.

We appreciate that the CPSC has decided to defer its vote on the pending NPRM for a week but we encourage the CPSC to take any additional time necessary so that CPSC staff may have adequate time to assess the adequacy of ANSI/ROHVA 1-2014. During this time we recommend that the CPSC staff and the industry reach an agreement on voluntary standards that adequately address the risk of injury concerning ROVs. Thank you again for your attention to this critical issue.

Sincerely,



Amy Klobuchar  
United States Senator



Dean Heller  
United States Senator