



Ontario Public Health Association
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Amending Ontario's Off-Road Vehicle Act

A Resolution adopted by the
Ontario Public Health Association
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Submitted by the Regional Municipality of Durham

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BACKGROUND

All-Terrain Vehicle (ATV) is defined as an off-road vehicle which has four wheels and the tires are in contact with the ground. It also has steering handle bars and a seat that is designed to be straddled by the driver. It is designed to carry a driver only and no passengers (Government of Ontario 2003, Highway Traffic Act).

All-terrain vehicles were first introduced in North America in 1972 for farming and logging because they were small and could be used over rugged terrain. These same characteristics have made them very popular as recreational vehicles (Murphy & Yanchar, (2004). Safety measures on ATVs include warning labels prohibiting sales of adult-size ATVs to anyone under 16 years of age and mandatory offers of training courses for riders (Smith et al, 2005).

Sales of ATVs have increased dramatically. According to the Canadian All-Terrain Distributors Council (CATV), a trade association representing ATV distributors and manufacturers who account for over 95% of ATV sales in Canada, retail sales of ATVs in Canada have increased from 32,607 in 1997 to 89,452 in 2004 while in Ontario from 5,704 in 1997 to 21,188 in 2004 (CATV, 2004). With the increase in sales has come an increase in ATV-related injuries despite the manufacturers' voluntary safety measures. According to the Canadian Institute for Health Information (CIHI), the number of ATV-related hospitalizations has increased by almost 50% (from 1,693 in 1996/1997 to 2,535 in 2000/2001) when the number of hospitalizations from other types of injuries, including motor vehicle collisions, are decreasing (CIHI, 2003).

Children, under age 16, account for an alarming number of ATV related injuries and deaths. One-third of ATV injury hospitalizations and 50% of the deaths are children under 16 years of age (Canadian Paediatric Society, 2004). Children and youth lack the knowledge, physical size and strength, and cognitive and motor skills to operate an ATV safely (Canadian Paediatric Society, 2004). The 2001 report from the US Consumer Product Safety Commission (CPSC) states that drivers under the age of 16 are associated with greater risk of injury than older drivers (Levinson, 2003). The Canadian Paediatric Society, Injury Prevention Committee and the Hospital for Sick Children, Safe Kids Canada recommend that children younger than 16 years of age should not operate all-terrain vehicles (The Hospital for Sick Children, 2004).

There is an urgent need to protect children from ATV-related injuries. The voluntary agreement by ATV manufacturers to increase safety and safety information from other sources has not decreased the number of ATV-related injuries. It is now necessary to make legislative changes that include safety practices similar to driving a motor vehicle, snowmobile and boat and a need to develop a comprehensive approach to ATV use in Ontario that includes public safety, legislation and enforcement, trails system and decreased environmental impact similar to the province of New Brunswick.

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OPHA Resolution for 2006: To Amend Ontario's Off-Road Vehicle Act

WHEREAS the current Ontario Off-Road Vehicle Act states that no owner of an off-road vehicle shall permit a child under the age of twelve to drive a vehicle except when the child is driving the vehicle on land occupied by the vehicle owner or under the close supervision of an adult; and

WHEREAS retail sales of ATVs in Ontario have dramatically increased from 5,704 in 1997 to 21,188 in 2004 while the number of ATV-related hospitalizations have increased by almost 50% (from 1,693 in 1996/1997 to 2,535 in 2000/2001) during a time when the number of hospitalizations from other types of injuries are decreasing; and

WHEREAS children less than 16 years of age account for almost one-third of ATV injury-related Hospital visits, 30% or more of ATV injury hospitalizations, and almost half of all ATV-related deaths; and

WHEREAS the Canadian Pediatric Society (2004) has developed evidence-based recommendations aimed to improve ATV safety for children, such as: children under 16 years of age do not operate ATVs due to lack of knowledge, physical size and strength, cognitive and motor skills (Canadian Paediatric Society, 2004).

WHEREAS these recommendations are supported by Safe Kids Canada and SMART RISK, Middlesex-London Health Unit, Thunder Bay District Health Unit and the resolution has been endorsed by the Regional Municipality of Durham, Registered Nurses Association of Ontario (RNAO) Municipality of Clarington, Township of Scugog, and the Association of Public Health Agencies (alPHA).

THEREFORE BE IT RESOLVED THAT OPHA take a strong advocacy position and urge the Government of Ontario to strike a multi-stakeholder ATV Task Group to develop a comprehensive, evidence-based approach, including amendments to the Off-Road Vehicle Act to promote ATV Safety to prevent ATV injuries, particularly in children that would include public safety, legislation and enforcement, trails system and decreased environmental impact;

AND BE IT FURTHER RESOLVED that OPHA contact all health units and boards of health and recommend they also adopt this resolution;

AND BE IT FURTHER RESOLVED that OPHA collaborate with the Ontario Government, Ministries of Transportation, Health Promotion, Health and Long Term Care, and Youth and Children Services to establish an All-Terrain Vehicle (ATV) Task Force to develop a comprehensive approach to ATV use;

AND BE IT FURTHER RESOLVED that OPHA advocate that this become an early project under the proposed Injury Prevention Strategy being developed by the Ontario Ministry of Health Promotion.

Regarding Resolutions, Position Papers, and Motions:

Status: Policy statements (resolutions, position papers, and motions) are categorized as:

Active, if:

1. The activities outlined in the policy statement's implementation plan have not yet been completed,
2. The policy statement addresses an issue that is currently relevant to public health in Ontario.

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1. The activities outlined in the policy statement's implementation plan have been completed, or
2. The policy statement addresses an issue that is not currently relevant to public health in Ontario or is not based upon the most current evidence. The statement remains the position of the OPHA until a new statement is adopted that effectively reverses or essentially negates all or major elements of an earlier statement. In this instance, the former supercedes the latter.

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