

Investigation Guideline All-Terrain Vehicles

Please note that this investigation guideline applies only to investigations requested by the Directorate for Epidemiology. It does not apply to ATV incidents assigned by Compliance. (See note under Headquarters Contacts section.)

Background

Injuries and deaths associated with the use of all-terrain vehicles (ATVs) have risen since the expiration of the consent decrees between CPSC and ATV manufacturers. The increase may not be fully explained by an increase in the number of ATVs in use. Children under 16 years of age accounted for about a third of the total estimated injuries from 1985 through 2005. Likewise, children represent about a third of the deaths.

Incident investigation reports are needed in order to provide accurate annual counts and estimates of all ATV fatalities as well as counts and estimates of fatalities involving only 4-wheeled ATVs in CPSC's Annual Report on ATV Deaths and Injuries. Investigations help CPSC's Directorate for Epidemiology (EP) match reports of incidents originating from different data sources. In addition, ATV investigation reports provide information that the Directorate uses to address analysis requests from the Commission and the public. The Directorate also periodically publishes other detailed ATV reports used by a variety of outside groups and epidemiologists in their own research.

What is an ATV?

An all-terrain vehicle is a vehicle with a motor, a seat that the rider straddles, motorcycle-type handlebars, and low-pressure tires. ATVs are designed for off-road use on a variety of surfaces and terrains. Most currently manufactured ATVs of which the Agency is aware have four or more tires, but some older models have only three tires. Please note that vehicles that do not have both a straddled seat and motorcycle-type handlebars do not qualify as ATVs for the purposes of CPSC staff's epidemiological studies. Some products that have bench seats or steering wheels are marketed as ATVs but do not meet CPSC staff's definition of an ATV.

For ATVs that meet CPSC staff's definition, the investigator should complete a full IDI report, excluding the narrative. If it is determined that a case involves an ATV that does not meet CPSC staff's definition (e.g., if the incident involves a vehicle with a bench seat), the investigator should complete an abbreviated report, including a narrative. If the investigation reveals that no consumer product was involved, a screening report may be submitted.

If there is any question about whether the concerned vehicle is an ATV or whether a full investigation should be completed, please contact Robin Streeter at headquarters (301-504-7408).

Headquarters Contacts

For information on investigations of fatal ATV incidents, please contact:

Robin Streeter
Hazard Analysis Division
301-504-7408

For information on investigations of other ATV incidents requested by the Office of Compliance, please contact:

Tanya Topka, Compliance Officer
Office of Compliance
301-504-7594

Please note that this investigation guideline does not apply to ATV incidents assigned by Compliance. The Office of Compliance may have very different data needs than the Directorate for Epidemiology. Any ATV incident investigation that uncovers a product defect should be brought to the attention of Compliance, regardless of who requested the investigation. **If an investigation requested by Compliance involves an ATV fatality, this guideline should be used in addition to Compliance's guidance.**

Instructions on Collecting Information

1. Essential Information : The Directorate for Epidemiology needs specific information that is unique to ATV investigations. The Division of Hazard Analysis (EPHA) has worked closely with field management to provide guidance on obtaining the needed information.

ATV investigation reports no longer include a narrative section as they have in the past. However, the report should include certain essential facts (page 3), and this information should be recorded on CPSC Form 182 and on the Data Record Sheet or DRS (i.e., the online ATVD Questionnaire), as appropriate. The essential information is usually available from either the police report(s) and/or the full Medical Examiner's (ME's) report.

The following guidelines should be used for document collection in ATV investigations:

- For incidents in which the source document is not a death certificate, please obtain both the police report and the full ME's report, if possible.
- For incidents originating from death certificates, please obtain a police report.
- The source document (e.g., news clip) should also be examined for any essential information that it may provide.
- If the essential information (listed on page 3) is not available from written law enforcement reports, the ME's report, or the source document, please make every effort to obtain the information elsewhere.
- The List of Attachments should include all documents collected, including the police report(s), the ME's report, and any additional documents that were obtained to support information in the source document.

Essential information required by EPHA includes the items listed on page 3. Each item has been cross-referenced to the relevant block of CPSC Form 182 (Form 182: B#) and/or the relevant question on the ATV DRS (DRS: Q#).

A. Date and location of incident [Form 182: B8, B9]

The incident location should include city and state. If no city name is available, please describe location as well as possible (e.g. Smith State Park). Please note that, in many cases, the location of the incident and the place of death differ.

B. Type of vehicle(s) involved in incident [Form 182: B10, B11/DRS: Q1, Q17]

As noted above, if the vehicle does not meet CPSC staff's definition of an ATV, an abbreviated report may be submitted. The abbreviated report should describe the vehicle(s) involved. If the incident falls under a different investigation category, the full investigation should be completed using the requirements for that category.

C. Number of wheels of each involved ATV [DRS: Q1]

If number of wheels is not available from reports/interviews, please obtain police photos if possible.

D. Brand, model and engine size (cc's) of ATV(s) involved [Form 182: B10, B11/DRS: Q2, Q3, Q5]

If any of these three items is not available from reports or interviews, please obtain the VIN number, if possible. If that fails, please obtain police photos, if available. Note that, if brand and model are obtained, it is often possible to determine engine size from a manufacturer's web site.

E. Number of ATVs and other vehicles involved [DRS: Q2, Q17]

F. Date, location of death, and cause of death of all deceased persons in the incident [DRS: Q6]

The location should include city, county, and state. Please note that, in many cases, the incident location and the place of death differ. The coroner/ME should be considered the authority on place of death. For instance, if the police say the victim died at the scene but the ME's report lists somewhere else as the place of death, the information provided by the ME should be included in the investigation as the place of death. Generally, the ME's place of death is the place where the victim was pronounced dead. Discrepancies among official reports should be noted in the "Additional Comments" field of the DRS. However, the investigator is not required to resolve discrepancies as part of the ATV investigation.

G. Age and gender of all deceased persons in the incident [DRS: Q6]

H. Scenario description [Form 182: B6 (Synopsis)/DRS: Q7]

This should be a brief description of the incident, matching the "Synopsis of the Accident" contained on CPSC Form 182 (Block 6). Note that ATV DRS Question 7 is filled in automatically once Form 182 is completed.

I. Victim ridership status [DRS: Q10]

Identify whether the victim(s) was (were) the driver(s) of the ATV(s), passenger(s), bystander(s), driver(s) of different vehicle(s), or another status.

J. Number, age, and gender of riders (including driver and passengers) on the ATV(s) at the time of the incident [DRS: Q12, Q13]

K. Whether the incident happened on a public road, on a non-public road, or in some other place [DRS: Q15, Q16]

L. Whether the incident involved a potential product defect [DRS: "Additional Comments" field]

If, during the course of the investigation, the investigator learns or has reason to suspect a product defect, please note it in the "Additional Comments" field of the DRS and contact the appropriate product compliance officer.

2. Other Relevant Information: Please include the information listed below on Form 182 and/or on the DRS if it is gathered as a result of obtaining the essential information in Section 1. The collection of this additional information aids EPHA considerably in answering requests from the Commission for detailed analyses of ATV hazards, as well as requests from other divisions within CPSC and from the public. However, the information listed below is not considered essential, and it is not required to be collected as part of an ATV investigation.

- A. What was the model year of the ATV? [DRS Q4]
- B. Did the ATV overturn? Did it land on or run over the victim? [DRS Q8, Q9]
- C. Was the victim ejected (i.e., fall, jump, or was thrown) from the ATV? Did the ATV go airborne?
- D. If the ATV hit something, what was it?
- E. What was the ATV's speed? Was the ATV driver speeding or racing?
- F. Did the victim(s) wear a helmet(s)? [DRS Q11]
- G. Did the victim(s) use safety equipment other than a helmet?
- H. What were the height and weight of the driver of the ATV (regardless of whether the victim was the ATV driver)? [DRS Q13]
- I. How did the ATV driver learn to operate the ATV? [DRS Q14]
- J. Was the ATV driver known or suspected to have used alcohol, drugs (legal or illicit), or medications prior to the incident? [DRS Q18, Q19]
- K. What was the ATV driver's experience with ATVs?
- L. If the ATV driver was under 16 years of age, was he/she supervised? Did he/she have permission to ride the ATV at the time of the incident?
- M. What was the type of terrain (road, trail, sand, lawn, woods, desert, mountains, etc.) in the area where the ATV was being operated at the time of the incident? [DRS Q15, Q16]
- N. If the incident occurred on a road, what were the road characteristics (e.g., curve, grade, smooth, bumpy, etc.)?
- O. Did the incident occur on a slope? If so, how steep was the slope? In what direction was the slope, relative to the ATV's direction of travel?
- P. What were the visibility conditions (e.g., dust being kicked up by other ATVs, etc.) at the time of the incident? Did the time of day of the incident (e.g., dusk) limit the visibility?
- Q. What were the weather conditions at the time of the incident?
- R. Was the incident work-related? Please note that work-related incidents include work done on a farm, even if a child was performing the work.
- S. Was the ATV towing anything?
- T. Had any modifications been made to the ATV?
- U. Were any accessories installed on the ATV?
- V. Was the ATV bought new or used? Was the ATV rented?

Where applicable, the questions listed above have been cross-referenced to the appropriate question on the DRS. If no specific DRS question is referenced, the item(s) may be included in the Synopsis (Form 182 B6/DRS Q7) or in the "Additional Comments" field of the DRS, as appropriate.

A Final Note on Documents

Most ATV fatality investigations can be accomplished by obtaining police and ME's reports. In a few cases, other documentation may be needed to answer questions about essential information. The following notes provide general guidelines on obtaining reports and making contacts:

Police reports: Please make every effort to obtain a written report from all investigating law enforcement officials (local police, state police, sheriff's office, etc.).

Medical examiner/coroner's reports: If the source document is not an official death certificate, please obtain a written report from the ME/coroner. Generally, these reports will take the form of an autopsy report, but may also include a transcript of a legal inquest or an ME's investigation. Note that MECAP reports are not death certificates, and any investigation originating from a MECAP report should include a full ME's report, if possible.

Photos: Photos taken by CPSC investigators are unnecessary. However, if essential information items 1.C (number of wheels on each ATV involved in the incident) or 1.D (brand name, model, and engine size of each involved ATV) are not obtained through other means, please attempt to obtain police photos.

Interviews with investigating officials or reporters: If essential information obtained from official reports or news reports is incomplete or illegible, the investigator should attempt to contact the investigating officials / reporters to obtain the missing information. These interviews should be noted in the "Additional Comments" field of the DRS. Please note that the investigator is not responsible for resolving discrepancies between official reports, although such discrepancies should be noted in the "Additional Comments" field of the DRS.

Interviews with witnesses, next of kin, etc.: If contact with witnesses or next-of-kin is allowed, please interview these individuals only if essential information is not determined through official reports or interviews. These interviews should be noted in the "Additional Comments" field of the ATVD DRS. **Please be sure to adhere to all restrictions in the Field Investigations Manual on contact of next-of-kin by state.**

Four items that should be included in routine ATV fatality investigations:

1. Form 182
2. Supporting documentation (police/law enforcement reports, ME's reports, etc., detailed in this guideline).
3. List of Attachments
4. ATVD DRS (i.e., the online questionnaire) with at least answers to the essential questions 1, 2, 3, 5, 6, 7, 10, 12 and 16. Other questions should be answered if the relevant information is available as a result of obtaining answers to the essential questions. Please note that Question 7 of the DRS is automatically filled in once Block 6 (Synopsis) of Form 182 is completed in IFS.