

Testimony for Senate Bill 238

I am a father of two children and an Off-Highway Motorcycle (OHM) enthusiast. I have been a Registered Nurse for 20 years off and on in the Emergency Department. I am nationally certified as an Emergency Nurse, a Trauma Nurse, Pediatric Advanced Life Support, etc. I have earned a Master's Degree in Community Health Nursing. Over the past 25 years, I have volunteered at multiple Off-Road Racing events as support staff and on the first responder Search and Rescue teams. I am a member of the Emerald Trail Riders Association (ETRA) and the Oregon Motorcycle Riders Association (OMRA). ETRA and OMRA have become partners with the Oregon Parks and Recreation Department in developing and implementing Oregon's Youth Safety Evaluation Program (YSEP) for riders less than 16 years of age. All riders under 16 years of age must pass the Youth Safety Evaluation Program in order to ride on public land.

SB 238 changes one sentence in Oregon law; it eliminates the arbitrary minimum age of 7 for Off-Highway Motorcycle (OHM) operators and puts a "Rider Fit" law in its place. "Rider Fit" means that the size of the operator matches the size of the machine they are riding:

(2) A Class III Motorcycle operator under 16 years of age must meet the following minimum physical size requirements in relationship to the vehicle:

(a) Hand Brake Reach: While in normal riding position, with hands placed in the normal operating position, fingers extended straight out, the first joint (from the tip) of the middle finger will extend beyond the brake lever and clutch;

(b) Rider must have the ability to adequately reach controls while in normal riding position

SB 238 is about helping families recreate together, outside, enjoying our public lands. It's about making off-highway motorcycling safer for Oregon's youths. It's about helping our struggling economy. It's about fixing state law so that it is more understandable and practical for families and law enforcement.

Currently, Oregon does not allow off-highway motorcycle (OHM) operators under the age of 7 to ride on public land. Very few of us in the OHM community knew this was illegal in Oregon until 2 years ago, when the state passed HB 2329 reminding us and law enforcement, that this law existed. For the past 30 years, many kids in our community started riding when they are around 5 years old. After becoming proficient bicycle riders, we take them out and start teaching them how to ride youth motorcycles. This is how we learned how to ride when we were kids, spending time with our families outside. The American Motorcycle Association holds racing and riding events for youths 4 and above. The motorcycles are gas or electrically powered with adjustable governors, that can prevent the bike from going faster than walking speed. There are already laws in place that require adult

supervision by persons who have completed safety training while riding on public land.

The change proposed by SB 238 was approved by Oregon's ATV Advisory Committee and is supported by the Off-Highway Vehicle community in Oregon. "Rider Fit" language is already in place and being used by the state's motorcycle clubs through the Youth Safety Evaluation Program (YSEP). Since implementing the "rider fit" and YSEP in January 2012, there has not been one death on a OHV, in Oregon, by anyone under the age of 15. We want ALL youth motorcycle riders to benefit from "Rider Fit" and the YSEP. During the YSEP, youths and parents are taught how to ride responsibly and safely; concepts of "stewardship" are discussed, with regard to our sport. SB 238 would bring those kids under 7 who are already out there riding, into this successful program.

Recreating on OHVs is important to families in Oregon and the United States. There has been a lot of publicity regarding the state's budget crisis, I'd like to remind you that OHV recreation and tourism is a big industry for Oregon. Many of our rural communities rely on OHV-related income. According to the Motorcycle Industry Council, direct sales of youth OHVs in Oregon, in 2007, amounted to \$5.2 million dollars. Nationally, direct sales of youth OHVs, in 2007, was \$1.5 billion. A OSU study ("The Economic Impacts of Off-Highway Vehicle (OHV) Recreation in Oregon", 2009) found that OHV recreation contributes more than \$541 million to Oregon's economy. Those figures do not include the vast number of people from out of state who come here to recreate on OHVs. The 2012 "Oregon Resident Outdoor Recreation Demand Analysis" found that 22% of Oregonians participate in OHV recreation. This figure is consistent with previous national studies that found that about 23% of the US population enjoys OHV recreation. Families spend lots of time and money, recreating on off-highway motorcycles together.

Currently, it's confusing for families and law enforcement to have 2 different laws for quad and motorcycle operators. There is a "rider fit law" for quad riders and no minimum age; while for motorcycle riders there is no rider fit law and a minimum age. I can imagine the frustration of a family spending a few hundred dollars on fuel and a long drive to come ride in Oregon, and leaving with a ticket for having "Johnny" out on a supervised ride with Dad. Passage of SB 238 would make the law easier for the public and law enforcement to understand.

SB 238 is a proactive approach to promote responsible and safe riding for our youth who are out there safely riding. Our national injury rates are VERY low compared to other family-oriented activities. From 1998 to 2003 (prior to implementing the YSEP in 2012), there were 76 Off-Road Motorcycle entries per year, into Oregon's Trauma System (including all ages). From 2010 to 2011, there were 992 entries related to bicycle riding, into Oregon's Trauma System. According to the Centers for Disease Control and Prevention, the number of yearly injuries for off-highway motorcycling, in the United States, for ages 4 to 7 totals only 1,144. While any injury offers the opportunity for improvement, bicycle injuries in the

same age group total 85,770 per year; football=25,348; baseball = 20,062, basketball=17,949. While nobody seems to be discussing legislation for the 63,359 ball players injured annually, I have no doubt people are working on making ball sports safer for youth players. SB 238 is a product of Oregon's off-highway motorcycle community putting forth proactive legislation that will improve the safety of ALL riders and promote responsible off-highway motorcycle recreation by having ALL youth motorcycle riders be required to fit their bike and attend the Youth Safety Evaluation Program.

Some people get emotional regarding the word "motorcycle" when it comes to safety, we can reassure them that this legislation protects children. No one is more committed to the safety a particular child than his or her parents. Experts in off-highway motorcycling support SB 238. Education and having an operator fit the machine is the best way to protect our children. Having families go through Oregon's YSEP and the On-line Safety Training, educates families about safe and sustainable practices. Many kids in Oregon are out riding and racing from 4 years old and up, SB 238 just opens the door for ALL youth riders to benefit from the Youth Safety Evaluation Program.

Children do not magically inherit good judgment at a given age. "Risk taking behavior" begins around the early teen years and proceeds into the mid-twenties. Children learn good judgment and responsible decision-making as they develop from infancy into adulthood through education, guidance, and practice. Parents do not teach children how to use a knife to cut food by starting with a sharp knife and an apple. Children are taught to how to use a butter knife to cut a banana before working with a sharp knife. We teach our children skills and good judgment in the operation of motorcycles in a stepwise fashion consistent with their abilities. This education teaches them about stopping distance, maneuverability of vehicles, mechanics, and operation of vehicles with other vehicles around them. There is no specific minimum age to teach our children good judgment, the only requirement is that we spend time with them.

The American Motorcycle Association, Oregon's All-Terrain Vehicle Advisory Committee, the Oregon Motorcycle Rider Association, the Emerald Trail Riders Association, and many other off-highway motorcycle clubs and families in Oregon support SB 238.

If you have any questions or comments, please let me know. Thank you for your service to our state and your attention. Please help pass SB 238.

Sincerely,
Ethan Lodwig
Eugene, Oregon

Electric Motorcycle



Father and Son



Weekend at the Races

