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Congress makes progress in stopping the lead ban for youth dirtbikes, ATVs

Draft legislation that would give the Consumer Product Safety Commission the ability to ease the lead ban on youth motorcycles and ATVs has been passed by a key subcommittee in the U.S. House of Representatives.

The House Subcommittee on Commerce, Manufacturing and Trade on May 12 passed the draft bill, called the Enhancing CPSC Authority and Discretion Act of 2011 (ECADA), and referred it to the full Energy and Commerce Committee.

The draft bill was sponsored by Subcommittee Chair Mary Bono Mack (R-Calif.) in an effort to reform parts of the Consumer Product Safety Improvement Act (CPSIA) that have essentially derailed the youth ATV and off-road motorcycle market in recent years due to restrictions on lead content in the vehicles.

The CPSIA bans the making, importing, distributing or sales of any product intended for children 12 years and under if it contains more than a specified amount of lead in any accessible part. Created to regulate the amount of lead in children's toys and other products, it had further consequences by applying the regulation to youth off-road vehicles.

ECADA would exempt youth off-road motorcycle and ATV battery terminals from the lead-content limits of the CPSIA. "It also may allow exemptions to the lead-content portion of the law for OHV parts under certain conditions," according to the American Motorcyclist Association, which applauded the subcommittee's passage of the draft legislation.

"... ECADA is a step in the right direction," said Ed Moreland, AMA senior vice president-government relations. "We are hopeful that the final legislation will fully address the problem with an outright exemption, like the one in HR 412, the Kids Just Want to Ride Act," which is endorsed by the organization.

The Motorcycle Industry Council on May 12 issued a statement, thanking "Mary Bono Mack for her leadership on reform of the Consumer Product Safety Improvement Act and her support for clear, complete and permanent relief for the powersports industry and riders."


While we continue to believe that the best way to ensure the continued availability of youth off-highway vehicles is to categorically exclude them from the lead-content provisions, this proposed legislation, if enacted as drafted, would provide welcome relief and improve safety," wrote MIC general counsel Paul Vitrano in a May 10 letter [<http://www.dealernews.com/dealernews/latest+news/mic-endorses-stop-the-lead-ban-legislation-in-cong/articlestandard/article/detail/722532?contextcategoryid=48447>] to the subcommittee.

Following Thursday's Subcommittee mark-up, Vitrano added, "MIC and its members reiterate their strong support for ECADA and urge its quick passage by the Energy and Commerce Committee."

To view a copy of the ECADA discussion draft and its progress, click here [<http://energycommerce.house.gov/news/prarticle.aspx?newsid=8585>].

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