

Testimony of Ronald "Buck" Warfield
House Energy and Commerce Committee,
Subcommittee on Commerce, Manufacturing and Trade
United States House of Representatives
Oversight of the Consumer Product Safety Commission
May 19, 2015

Mr. Chairman, Ranking Member and Members of the Committee, thank you for this opportunity to testify in support of H.R. 999 – the ROV In-Depth Examination or RIDE Act.

My name is Buck Warfield, and I have extensive experience in dealing with safe and appropriate use of off-highway vehicles.

First a bit of background – I was employed by the Maryland State Police as a police officer for twenty-three years and retired in January 1993.

With regard to off-highway vehicle experience - In 1985 I was trained and certified by the Specialty Vehicle Institute of America (SVIA) as an ATV Instructor. In 1989, I became an ATV Safety Institute (ASI) Licensed Chief Instructor and I continue to be contracted by ASI to train, license and monitor other ATV Instructor staff.

With respect to recreational off-highway vehicles, known as ROVs or side-by-sides, I have assisted several agencies including military and governmental groups in developing preliminary ROV training programs and completed the Recreational Off-Highway Vehicle Association (ROHVA) approved training program in December 2010.

I currently serve as a Chief ROV DriverCoach Trainer and I have a training facility at my farm in Sykesville, Maryland which has been designated by ROHVA as a DriverCoach Training Center, one of only three in the United States. On a personal note, I have logged over 900

hours as an operator of my personal ROV since 2006. I currently own two ROVs utilized primarily for ROV training and two utilized daily for facility maintenance.

I participated in the development of the ROV Basic *DriverCourse* curriculum which is designed for current and prospective recreational off-highway vehicle drivers.

The Basic *DriverCourse* is a training opportunity that provides current and experienced ROV drivers the chance to learn and practice basic skills and techniques. It addresses basic operation and emphasizes safety awareness related specifically to ROV operation. The overall aim of the *DriverCourse* is to provide for driver development in the areas of skill and risk management strategies. This includes learning experiences to foster driver gains in basic knowledge, skill, attitude, values, and habits.

I am here to support H.R. 999. This legislation would only pause the Consumer Product Safety Commission's (CPSC) ongoing ROV rulemaking, until the National Academy of Sciences, in consultation with the Department of Defense and the National Highway Traffic Safety Administration, perform a study of the vehicle handling requirements proposed by CPSC.

I do not claim to be an engineer or to fully understand the complex engineering issues, but I do understand that there are some basic disagreements on a select few issues between the engineers at CPSC and the engineers who work for major manufacturers. I appreciate that CPSC is well-intentioned. I also know the manufacturers develop safe, capable vehicles for me, my family, friends and students.

My decades of experience with powersports vehicles, including training countless people who had no prior experience with ATVs or ROVs, show me that these are safe vehicles with amazing capabilities when operated as intended.

H.R. 999 is narrowly tailored to examine:

1. the technical validity of CPSC's proposed lateral stability and vehicle handling requirements;
2. the number of ROV rollovers that would be prevented if the rule were adopted;
3. whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a vehicle's rollover resistance on a progressive scale, and;
4. the effects on the utility of ROVs used by the U.S. military if the rule were adopted.

To put it simply, this makes sense. Some may say that taking the time to examine the impacts of CPSC's proposals will lead to some delay, but it is not that simple. I have vast experience driving ROVs in all sorts of off-highway environments. I fear that the CPSC's proposed rule changing ROVs could lead to serious and unintended safety issues.

In conclusion, I think the best way forward would be for industry and CPSC to work together to find a voluntary solution that works for all parties and protects the safety of ROV drivers and passengers. Barring a collaborative solution, the best and safest way forward is for independent third party experts to make sure we get this right.

Thank you and please support H.R. 999.