

Paving Safe Paths for ATVs

Americans' love of all-terrain vehicles (ATVs) shows no signs of waning. An estimated 11 million ATVs were on the ground in 2010, and 225,244 more were sold in 2012, according to Power Sports Business.

With increased numbers comes the threat of more accidents, but thanks to legislation, public education and industry safety improvements, ATV-related accidents and fatalities have declined significantly since 2007.

Still, 2011 still saw 327 ATV-related fatalities and 107,500 emergency department-treated injuries—27 percent sustained by children under 16, according to the U.S. Consumer Product Safety Commission.

Legislatures continue to refine their laws to increase safety and opportunities for ATV use.

Road Use

Most states prohibit ATV operators from using state highways (except to cross them), although 11 states make exceptions for farmers and certain work-related purposes.

Eight states allow ATVs on paved roads if the ATV is street legal—that is, meets all the safety requirements a car does for use on the road. Delaware is the only state that prohibits ATVs on all paved roads, including crossings. Only Idaho and South Dakota allow ATVs on state highways.

Last year, Indiana, Missouri, and Washington joined four states that authorize municipalities or state transportation departments to determine whether ATVs are allowed on highways.

Arkansas, which already allowed ATVs to cross highways for hunting and farming, enacted a law last year that permits emergency and utility personnel to operate an ATV on highways.

Speed

Several states have introduced legislation to keep less powerful ATVs off paved roads. North Dakota recently passed a bill that bans ATVs that can't go at least 30 mph from paved roads. A new Washington law limits ATVs to roads with speed limits under 35 mph.

Enforcement

New Jersey considered a bill last year that would increase the current \$100-\$200 fine to \$500 for unauthorized ATV use on a highway. A new Maryland law imposes mandatory license suspension for minors who operate an unregistered ATV on a highway.

Public Land

ATV use on public land continues to be intensely debated, with preservationists arguing ATVs damage ecosystems and recreationists maintaining their right to enjoy the outdoors. States are taking several approaches to balance the two demands.

States can designate public land that's not under U.S. jurisdiction for ATV use. Currently, it appears every state but Connecticut has

public lands open to ATV operation. Most states have regulations for ATV use on state land, such as having a driver's license, although in several, they apply only to minors.

Eighteen states require ATV operators to use a combination of standard safety equipment (helmet, muffler, lights and spark arresters) on public land, but in eight, they apply only to riders under a certain age.

Some states are designating public land for ATV use. New Hampshire, following the success of West Virginia's 600-mile ATV trail system, recently opened 75 miles of ATV trails in Jericho Mountain State Park, and New Jersey and Maine designated additional state land for ATV use this past year.

Two states are moving in the opposite direction. Colorado enacted legislation to clarify that ATVs are banned on federal lands unless explicitly authorized by the controlling federal land agency. Connecticut's governor vetoed a bill this past session that would have required the state's Department of Energy and Environmental Protection to consider opening additional state-owned land to ATV use.

Safety Requirements

Twelve states require all ATV operators to wear helmet and eye protection; 19 states require such equipment for riders under age 16 or 18. Five of the states offer exemptions for farmers.

States commonly require young ATV riders to pass a safety course. Only Connecticut requires riders of all ages to do so, although the regulation doesn't apply on private land. Many states have exceptions. For example, Wisconsin requires riders under 16 to have a safety education certificate, except if: they're on land owned by immediate family, a property owner gives them permission to ride on their land or if they're at an ATV demonstration event.

Nineteen states have laws regulating or prohibiting ATV passengers, although in 14, regulations apply only if the ATV was not designed to carry a passenger. Connecticut is the only state that does not allow an ATV to carry a passenger in any circumstances. —James Hanseen



Lifeline for Landlines

AARP Pennsylvania is going to bat for landline phone users who worry they're being shoved aside by the wireless crowd. AARP opposes a bill in Pennsylvania to deregulate phone service, arguing it removes too many consumer protections for landline users, including guards against unfettered rate increases.

In 2011, 23 percent of Pennsylvania households had only wireless phones, compared with 34 percent of U.S. households. The percentage of Pennsylvanians with landline phones only (10 percent) matched the U.S. average, according to the National Health Interview Survey, conducted by the Centers for Disease Control and Prevention.

Landline providers, including Verizon and AT&T, say they are at a disadvantage because their competitors—the new wireless, voice-over-Internet and cable phone services—are largely free of traditional oversight. Bill sponsor Representative Warren Kampf (R) said deregulation would “level the playing field” for all phone companies, adding that at least 20 states have similar measures. He and Verizon officials argue less government oversight leads to more competition, which results in better service for consumers because companies are eager to win and keep their business.

Deregulation opponents disagree. “H.B. 1608 proposes sweeping changes to the current regulatory framework that would severely limit the role of the Public Utility Commission to protect consumers,” said AARP Pennsylvania State Director Bill Johnston-Walsh. Under deregulation, phone companies could replace landlines with wireless technology and abandon landlines altogether after 2018 where the cost of maintaining them is high, critics argue. They add that in many rural areas cell phone reception is spotty.

Johnston-Walsh said a recent AARP survey of Pennsylvanians age 50 and older showed 94 percent were satisfied with their landline service, 80 percent said they were unlikely to cancel their landline service and replace it with a cell phone, and 74 percent strongly opposed legislation that would allow landline providers to end service in rural areas.

—Mary Winter



Who's Calling?

By the Numbers

38%

U.S. homes with wireless phones only

2.4%

Increase in wireless-only homes from first half to last half of 2012

45%

Idaho adults with wireless only, the highest in the nation

1 in 6

U.S. homes that received all or almost all calls on wireless phones despite also having a landline phone

45%

Children whose homes have only wireless telephones

2%

Households with no telephone

62%

Adults aged 25–29 with only wireless phones

57%

Adults 30–34 with only wireless phones

51%

Hispanic adults living in households with only wireless phones

33%

White adults living in households with only wireless phones

39%

Black adults living in households with only wireless phones

41%

Adults in Midwest with wireless phones only, followed by South (40%), West (38%) and Northeast (24%)

Source: July–December 2012 National Health Interview Survey, Centers for Disease Control and Prevention

States Look to KO Cockfights

States are cracking down on cockfighting, the illegal practice of pitting two roosters in a fight to the death while people place bets. Many legislatures are working to increase penalties for participating in or watching a cockfight, or for having paraphernalia, such as leg knives. In 2013, 15 states introduced more than 30 pieces of related legislation and enacted three.

News items document the enduring popularity of cockfighting. In November, Haines City, Fla., officials busted a cockfight and arrested 14 people. In August, police in the Los Angeles and the Houston areas raided suspected cockfighting rings and confiscated a total of nearly 700 birds. The same month, officials in Louisiana confiscated over 700 birds, the largest animal seizure in state history.

Cockfighting is illegal in all 50 states, but how the states punish the perpetrators varies widely. In 13 states—Alabama, California, Hawaii, Kentucky, Louisiana, Mississippi, New Mexico, Ohio, South Carolina, South Dakota, Tennessee, Utah and West Virginia—cockfighting is a misdemeanor for first-time offenders. In Tennessee, for example, conviction carries a \$50 fine.

Of those 13 states, Mississippi, South Carolina, Tennessee and Utah introduced legislation to increase state penalties to felonies in the last session, but none passed. Some lawmakers say such bills threaten a region's cultural heritage. Oklahoma introduced legislation to decrease the penalty from a felony to a misdemeanor, but it also died.

Last session, Nevada made first-offense cockfighting a felony instead of a misdemeanor. The law also prohibits possession of cockfighting instruments and attendance at a cockfight. A new law in Nebraska prohibits a person convicted of an animal fighting offense from owning any animal for at least five years.

Some bills take unusual approaches to prevent cockfighting. New Jersey introduced legislation that would make it a crime to bring a minor to a cockfight, while Arizona and New York would like to add individuals convicted of cockfighting to an animal abuse database.

—Jonathan Griffin



Minding the Gap: Summer Learning

Summer is still four months away, but many parents, schools and communities already are thinking about how to keep children mentally engaged when school lets out. The issue is even more important in low-income areas, where children are especially vulnerable to summer learning loss.

Most students, regardless of socioeconomic status, lose the equivalent of two months of math skills each summer. Low-income students also tend to lose more than two months' worth of reading achievement. Johns Hopkins University researchers found that by ninth grade, summer learning loss accounts for two-thirds of the achievement gap in reading. To make up for it, teachers have to spend a good deal of the first two months of school on review. Recent RAND Corporation studies show that engaging, high-quality, inexpensive or free summer learning programs run by local, experienced teachers who involve parents can prevent summer learning loss and even improve student achievement, with results that last more than two years.

These summer school programs include enrichment activities that are more engaging than traditional remedial approaches. Various legislatures are supporting summer learning programs, including Wyoming's Bridges Grant program and Rhode Island's Joint Legislative Taskforce on Summer Learning. The Rhode Island task force recommended boosting linkages between schools and summer learning programs, increasing coordination between school-based summer programs and programs run by community organizations, and identifying key elements of summer learning to be addressed by state policy. In 2013, Texas passed HB 742, which creates a grant program for districts to provide summer learning opportunities for students who need academic assistance. It also offers summer teaching opportunities for educators.

As states examine ways to narrow the opportunity gap and engage students in learning year-round, making the most of summer months appears to be the new frontier.

—Ashley Wallace