

All-Terrain Vehicles (ATV)

When riding an All-Terrain Vehicle, what insurance protection do you have?

All-Terrain Vehicles (ATV) are commonly found on farms and ranches throughout rural Texas. They can assist a farmer or rancher with checking fences, locating livestock in areas a motor vehicle can not easily access, as well as, numerous other tasks. They are also often used for pleasure for the entire family.

The Hochheim Prairie Personal Liability and Farm Liability policies generally provide coverage for use of these vehicles if owned by you and operated on an insured location. However, as with any insurance policy, there may be circumstances in which no coverage is afforded. Carefully read your policy and contact your agent if you have any questions. Please remember that your Hochheim Prairie Farm Mutual Insurance policy does not provide liability coverage.



The Texas Transportation Code, Chapter 663, Section 663.001 defines an All-Terrain vehicle as:

- (1) "All-terrain vehicle" means a motor vehicle that is:
 - (a) equipped with a saddle for the use of:
 - (i) the rider; and
 - (ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;
 - (b) designed to propel itself with three or four tires in contact with the ground;
 - (c) designed by the manufacturer for off-highway use by the operator only; and
 - (d) not designed by the manufacturer for farming or lawn care
- (2) "Public property" means property owned or leased by the state or a political subdivision of the state.



If you currently have a Personal Liability or Farm Liability policy, it is important to be aware of definition (c) above. The Personal and Farm Liability policies provide liability coverage for the operation of an ATV while on an insured location. Operation of the ATV **while off the insured location** is excluded from coverage. *See following page for additional information.*

All-Terrain Vehicle Protection

Injuries occurring from the improper operation of an all-terrain vehicle (ATV) can be severe. Some 75% of ATV accidents result in serious damage to the head or spinal cord of the accident victim. Head injuries are a major cause of serious life threatening or lifelong physical problems and ailments. Injury to the spinal cord can result in paralysis of the entire body for life. Below you will find some examples of accidents that have occurred while operating an ATV.



ATV Safety Institute Recommends Proper Riding Gear

- **Approved helmet** - Helmets should have stickers on the inside or outside confirming compliance with the standards from the U.S. Department of Transportation (DOT) or Snell.
- **Eye protection** - Protective goggles or face shield.
- **Gloves** - Off-road style is best.
- **Long-sleeved shirt/jacket** - Off road jersey; shoulder pads/chest protector are encouraged.
- **Over-the-ankle boots** - Off-road style, over-the ankle ATV boots offer the best protection.



The Texas Transportation Code, Section 663.032

states that a person younger than 14 years of age who is operating an all-terrain vehicle must be accompanied by and be under the direct supervision of:

- (1) the person's parent or guardian; or
- (2) an adult who is authorized by the person's parent or guardian.

Examples of ATV Accidents	Liability Questions
<p>A social gathering of family members involves the use of an ATV for pleasure. A family member is operating the ATV and does not know how to brake properly. The driver slides into a truck trailer hitch suffering multiple fractures to his leg. The driver did not receive instructions or warnings in regards to safely operating the ATV from the insured.</p>	<p>Do I give instructions and properly supervise individuals who are operating my ATV? Go to www.atvsafety.org and review safety tips for operating an ATV.</p>
<p>The insured is driving his ATV to another premise after working at the insured location. The insured is involved in a collision with an automobile on a public roadway. Both parties were injured, but the driver of the automobile struggles with lifelong injuries from the collision.</p>	<p>Do I operate an all-terrain vehicle off the insured location? The Personal Liability and Farm Liability policies do not provide coverage for all-terrain vehicles that are operated off of the insured location.</p>
<p>The insured purchases an ATV for his 12-year old son. His son allows a friend, also a minor, to operate the ATV without adult supervision. The friend loses control of the ATV and strikes a tree. Both boys suffered multiple fractures and head injuries.</p>	<p>Do I allow a child/children to operate an all-terrain vehicle? According to the Texas Transportation Code, Chapter 663.032, children younger than 14 years of age must be supervised while operating an all-terrain vehicle.</p>