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Expert: Bikes were not for kids

Nancy Isles Nation

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An expert witness testified Friday that bicycles with quick-release front wheels sold by Wal-Mart Stores Inc. are not appropriate for children.

Robert Neil Anderson, a materials engineer, told a Marin County jury that he studied more than 100 claims from families who said their children were injured when the front wheels of their bikes came off while they were riding.

Almost all of the children were hurled over the handle bars of their bikes and landed on their faces, injuring and disfiguring themselves.

Anderson testified Friday in a civil trial in Marin Superior Court against Wal-Mart, Dynacraft Industries Inc. of San Rafael and Carl Warren & Co., Dynacraft's insurance adjuster, claiming officials knew the bikes were dangerous and that children had been injured in crashes that occurred when the wheels released but they chose to ignore the problem.

Dynacraft attorneys have said there are a number of explanations for the accidents, including rider error, parent negligence and the overall riskiness of bicycling.

Anderson, however, believes the design and construction of the bikes are wrong.

He said the bikes he examined are missing retainer clips that are shown in manuals. If the clips were in place they would have kept the wheel in position even if the quick release lever had slipped.

Asked by plaintiff attorney Mark Webb if there was a similarity to the accidents he had investigated, Anderson said the bikes all appear to have the same quick-release feature.

"It was a defective device," Anderson said.

He noted that the front fork of the bikes is a hard steel chrome and that the washers used on them are soft and slippery.

"That is one of the design failures that I saw," Anderson said. "It is like trying to keep something clamped and using marshmallows to hold it in place."

Webb used a projector to show numerous claims taken by Dynacraft workers that outline who was injured, how and on what bikes. Almost all of the bikes were "Ultrashock" models sold from about 2000 on.

The bikes were assembled and purchased at Wal-Mart stores throughout the country, the claims showed.

Injuries included concussions, cuts that required stitches, broken noses, shoulder fractures, broken and chipped teeth, loss of consciousness,
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and in one case, a ruptured spleen.

Asked why the wheels came off, Anderson said: "Because the quick release, one, is not appropriate, and, two, is defective."

Webb produced a letter from the former president of Dynacraft, stating in August 2001 that his company planned to stop importing the quick-release models. But Webb showed the court claims filed with Dynacraft through June of this year.

Anderson said the average age of the injured cyclists was 9 or 10 years old.

"That is a person who does things more aggressive than I would," Anderson said, adding that he would not recommend the bikes for any age. "This is not appropriate."

Laurie Heide, a former claims adjuster for the Seattle-based Carl Warren, said in a video deposition that she had noticed a large number of injuries related to quick-release wheels. She said she spoke to others at the firm about whether those models should be recalled.

"I was concerned that there were injuries involving children that were serious," Heide said.

She said she and the other adjusters were instructed to settle cases as often as possible. The terms of the settlement included clauses that barred the claimant from discussing the agreement.

Attorneys for Dynacraft and Wal-Mart will cross-examine Anderson next week.

Dynacraft attorneys questioned outside of the courtroom said the company would not comment on pending litigation.

In April 2004, Dynacraft recalled 53,000 BMX bicycles because the stems that connect the handlebars to the frame could loosen during use, causing riders to fall.

In 2002, Dynacraft and the U.S. Consumer Product Safety Commission recalled about 4,700 mountain bikes sold through the Target discount chain due to defective forks.

In 2001, the company recalled 38,000 boys mountain bikes because the front suspension fork could break, resulting in serious crashes.