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MURPHY/BR NOTIFIED 12/3/09
COMMENTS: YES NO
OVERRULED: ATTACHED
EXCISIONS FOLA Hxs.
 DO NOT RE-NOTIFY RE-NOTIFY



11 Technology Way, Steubenville, OH 43952
Phone: 740-283-6540 Fax: 740-283-6541

June 25, 2009

Renee K. Haslett
Trial Attorney
Office of the General Counsel
U.S. Consumer Product Safety Commission
4330 East - West Highway
Bethesda, MD 20814

To Whom It May Concern:

ATV ACTION PLAN OF WILDFIRE MOTORS

This letter outlines the actions being taken by Wildfire Motors to promote safe and responsible use of ATVs. Our company intends to implement the programs described below. I hope by offering these programs to individuals that we can continue to decrease the amount of deaths and injuries associated with ATVs. Safety is always our primary concern when operating a Wildfire ATV. To address the identified concerns of CPSC and to continue with the CPSC and ATV industry's efforts to effectively promote the continued safe and responsible consumer use of ATVs, Wildfire Motors will be implementing the following activities:

AGE RECOMMENDATIONS:

Wildfire Motors will not recommend, market, or sell new adult-sized ATVs for use by persons less than 16 years old. Wildfire Motors will use only maximum speed and speed limitations for determining the age-appropriateness of ATVs in accordance with the requirements set forth in Section 6 of ANSI/SVIA-1-2007. Wildfire Motors will use its best efforts, including monitoring dealers as outlined in the next section, to reasonably assure that Wildfire Motors retail dealers do not recommend or sell ATVs for use by individuals under the minimum ages.

DEALER MONITORING REGARDING AGE RECOMMENDATIONS:

Wildfire Motors will monitor its dealers for compliance with age recommendations and conduct on-site inspections of its dealers using independent undercover investigators. These inspections will be conducted randomly throughout the year unless a problem is reported in which case, an investigator would be sent right out.

Wildfire Motors will conduct at least 50 undercover, on-site dealer inspections annually. When, after a follow-up inspection of a dealership, Wildfire Motors finds evidence of a second violation of the age recommendation requirements (where the initial inspection was conducted by Wildfire or the CPSC) or a third violation (where the initial report of non-compliance was from another distributor or other third party), Wildfire Motors will terminate or not renew the dealer's agreement or use other enforcement actions. The nature of the action will be determined on a case-by-case basis, in consideration of the relevant factors. These factors may include, but not be limited to the following: applicable state law requirements, length of time between reported violations, circumstances of the reported violations, any intervening inspections in which the dealer was reported to be in compliance with the age recommendation requirements, and the strength of the evidence supporting termination. By following these guidelines, Wildfire Motors will make its best effort to obtain dealer compliance with age recommendations.

DEALER MONITORING REGARDING TRAINING REQUIREMENTS:

Wildfire Motors will monitor its dealers for compliance with training requirements, including random phone surveys of consumers and follow-up consumer surveys regarding compliance with training requirements. This follow-up will be conducted by an independent contractor. At least the same number of purchasers will be selected using the same selecting methodology as above for monitoring for compliance with age recommendations. Wildfire Motors will pursue action to secure compliance with all safety requirements. Actions may include probation, suspension of product, or termination or non-renewal of agreement. Wildfire will terminate dealers where reliable and accurate information demonstrates a pattern of failure to comply with safety training obligations.

ATV WARNING LABELS:

Wildfire Motors will follow the mandatory guidelines set forth in Section 4.23 of ANSI/SVIA-1-2007.

OWNER'S MANUALS:

Wildfire Motors will follow the mandatory guidelines set forth in Section 4.21 of ANSI/SVIA-1-2007.

ADVERTISING:

Wildfire Motors will require its ATV advertising and promotional materials to include the substance of the safety messages that are described at Section J.1 and Appendix K to the 1988 ATV Consent Decrees and will depict ATVs in a manner consistent with safe and responsible use of the product. All riders shown in such advertisements shall wear helmets and full protective gear. Wildfire Motors will use its best efforts to promote dealer compliance with Wildfire ATV advertising policies.

HANG TAGS:

Wildfire Motors will follow the mandatory guidelines set forth in Section 4.24 of ANSI/SVIA-1-2007.

SAFETY ALERTS:

Wildfire Motors will provide to its dealers, for dissemination to each purchaser an ATV "Safety Alert" containing the same substantive safety information as the Safety Alert described at Section H.3.b. (4)(c) and Appendix J of the 1988 ATV Consent Decree. This information will include death and injury statistics for ATVs, safety rules and age recommendations. Information concerning the estimated number of fatalities and injuries associated with ATVs will be accompanied by an explanation that such numbers are estimated and do not imply any causative factors involved in such incidents. Wildfire Motors will also provide information in regards to the availability of ATV training courses.

ATV SAFETY VIDEO:

Wildfire Motors will provide each purchaser of a Wildfire ATV with an ATV safety video that conveys safety and training-related information. The contents of the ATV Safety Video will conform to requirements specified at Section H.3.b (4) (b) and paragraphs II.A and II.C of Appendix I of the 1988 ATV Consent Decree.

TOLL-FREE SAFETY HOTLINE:

Wildfire Motors will maintain a toll-free, 24 hour "hotline" to respond to consumer inquiries as well as provide safety and training information, including age recommendations. This hotline will conform to the requirements described at Section H.4 of the 1988 ATV Consent Decree.

TRAINING AND INCENTIVES:

Wildfire Motors will offer to each first time purchaser free hands **on ATV Safety Training**. The training will be provided through the existing program of the ATV Safety Institute. Wildfire Motors feels that this training is very important and valuable to our customers. An owner's manual and hang tag will be included with each ATV at time of purchase to inform each purchaser of local training places as well as inform them of the procedure to enroll in these training classes.

Each ATV will have a hang tag that reads: Purchase of this vehicle includes cash & rebate, a \$100

value, for first time purchaser upon completion of ATV safety training. Ask us how to obtain your cash rebate by registering at our website or by contacting (866) 658-7300.

Our website will also be upgraded to remind and encourage safety training and offer an incentive of \$100 in rebates for participating in free safety training.

Each purchaser must contact Wildfire Motors through our website or via phone number listed on hang tag to register for Safety Training Class. Each participant must notify Wildfire Motors two weeks prior to anticipated training date of their choice to be registered for safety training class. Wildfire Motors will then register and pay for each participant's course, providing them with a paid receipt to attend safety training. As an incentive to complete such training, after the participant completes the ATV Safety Institute course, first time purchasers will qualify for an incentive worth \$100. The \$100 incentive for training will include at least \$50 in cash, with the balance offered (at the consumer's choice) as a rebate for already purchased Wildfire Motors safety equipment or a credit towards the purchase of new Wildfire Motors safety equipment. Upon the completion of the course each participant must provide a copy of their certificate of completion to Wildfire Motors to obtain their rebates.

Wildfire Motors will also offer **free training** to members of the ATV purchaser's immediate family who are within the recommended age group for the ATV that was purchased. This training program is in addition to the training information that Wildfire Motors will provide in a variety of forms to all purchasers, including owner's manuals, hang tags, an ATV safety video and other media.

Wildfire Motors will supply 2' x 2' colorful window signs that read: **Free ATV Safety Training Course**, with the purchase of any Wildfire ATV. A visually exciting DVD informing purchasers of recommended Safety Trainings and locations along with information on what is required and who is eligible for rebates in addition to safety tips and guidelines will be distributed to each dealer and potential customers for information and training purposes.

INFORMATION/EDUCATION EFFORT:

Wildfire Motors is developing an informational / education program. Our goal is to communicate to everyone the importance of age recommendation compliance via proper training. Additional topics would include the importance of not operating an ATV while under the influence of alcohol or drugs and the danger of driving an ATV on hard or road surfaces.

Operating an ATV under the influence of alcohol is one of the major causes of accidents. Wildfire Motors has taken our warning labels one step further in this aspect and we are including a label on all of our products which reads: Modification of this vehicle in any way voids the warranty; this includes mounting a beverage cooler onto the ATV. Among other things, this effort will promote Wildfire Motors number one rule, "Safety First."

Furthermore, Wildfire Motors will never sell an ATV with speeds in excess of 45 mph as we feel ATVs that exceed speeds of 60 mph have a potentially higher fatality rate.

This program will be aimed primarily at providing information and at deterring children under age sixteen from operating adult sized ATVs. All operators must be riding age appropriate ATVs with

full safety equipment at all times. As part of this program, this year Wildfire Motors will be doing a mailing of 900,000 flyers at a cost of \$.40 each for a total of \$360,000. Each flyer will provide information for recommended free ATV classes and consumer product safety encouraging each rider to wear the proper safety gear such as helmet, goggles, gloves, long sleeve shirts, jeans and boots when operating an ATV.

An email will be sent to all dealers on a monthly basis to encourage dealers to offer free ATV training and to promote safety equipment. New safety reminders will be included with each monthly email. Wildfire Motors will have posters printed with safety tips and distribute them to all of our dealers to display in their place of business. Along with this, Wildfire Motors will arrange for an educational assembly once a year at local schools to inform children and provide them with educational safety information. This will include handouts and take home sheets for the children as well as posters to hang in visible areas of the schools.

IMPLEMENTATION:

Implementation of the plans outlined in this letter will begin immediately. Wildfire Motors intends to continue with these actions indefinitely and will notify CPSC at least sixty (60) days in advance of terminating or materially changing any of the actions. Additionally Wildfire Motors will provide information in response to reasonable requests from CPSC about these activities.

Please let me know if you have any questions.

Thanks & Regards,



Don Snyder
C.E.O.