



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E HOLT BLVD SUITE A
ONTARIO, CA 91761

Oct 30th, 2017

VIA EMAIL atvactionplans@cpsc.gov

Office of the Secretary
U.S. Consumer Product Safety Commission
4330 East West Highway, Suite 820
Bethesda, MD 20814-4408

EGL Motor Inc. ATV Action Plan

EGL Motor Inc. ("EGL") manufactures and distributes All-Terrain Vehicles ("ATV") and is fully committed to the goal of reducing ATV-related accidents and deaths. EGL has implemented policies in accordance with the rules set forth by Section 232 of the Consumer Product Safety Improvement Act of 2008.

EGL is fully committed to the goal of reducing ATV-related accidents. As an importer/distributor, we are implementing policies in accordance with the rules set forth by Section 232 of the Consumer Product Safety Improvement Act of 2008. The actions outlined below are part of our continuing effort to promote safe and responsible use of our ATVs.

Age Recommendations

EGL will only recommend, market, advertise and sell ATVs for use under the age category/speed guidelines specified at Section 6 of the ANSI/SVIA 1-2010 Standard and any successor standards adopted by the CPSC for ATVs (the "ATV Standard"). EGL will never recommend, market, or sell adult-size ATVs for the use of persons under the age of 16. Furthermore, EGL will not recommend, market, advertise, or sell Y-6+ youth-sized ATVs for the use of persons under 6 years of age; Y-10+ youth-sized ATVs for the use of persons under 10 years of age; or Y-12+ youth-sized ATVs for the use of persons under 12 years of age. EGL will put forth its best efforts, including dealer monitoring, to ensure that EGL retail dealers do not recommend or sell ATVs for use by individuals under the minimum age and otherwise comply with these requirements.

Dealer Education and Monitoring

- Scope and Components of Monitoring Program

EGL requires that its dealers verify the intended ATV rider's age prior to selling that rider or his/her parent or guardian an ATV. EGL'S warranty registration cards require the submission of the intended rider's name and date of birth to ensure that dealers do not sell EGL ATVs to under-aged riders.

EGL will use its "best efforts" to ensure that its dealers comply with:

- the user age recommendation requirements of the ATV Standard;
- the requirements related to notifying ATV purchasers about the availability and importance of free, hands-on ATV training and the monetary incentive for taking such training; and



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E. HOLT BLVD SUITE A

ONTARIO, CA 91761

- the requirements relating to providing the ATV Hang Tag, the ATV Owner's Manual, the ATV Safety Video, and the ATV Safety Alert to ATV purchasers at the point of purchase.

EGL will conduct on-site inspections of each of its authorized ATV dealers at least twice a year, with a minimum of 50 on-site inspections per year, by means of independent, undercover investigators (also known as "secret shoppers") to ensure that these dealers comply with the above-listed requirements and other safety-related practices during sales or promotional functions. EGL will also modify the visitation criteria of its field personnel so that inspecting for dealer compliance with the above-listed requirements becomes a normal function of routine dealer visits.

EGL "best efforts" shall include, among other things, but not be limited to, an obligation to require, to the extent permissible under federal and state law, compliance by EGL's dealers, agents, or representatives with the terms of this ATV Action Plan in future contracts entered into with dealers, agents, or representatives, and, when possible and within a reasonable time, modification of existing contracts with dealers, agents, or representatives to impose this duty

- Notice and Training Program

Within fifteen (15) days of learning of a dealer's non-compliance with the above-listed requirements from the CPSC staff or by one of EGL'S independent investigators, EGL will:

- notify the dealer of its non-compliance;
- inform the dealer of the operative facts reported by the CPSC staff or the independent investigator (such as the name of the salesperson and the model(s) of the ATV(s) allegedly recommended during the inspection); and
- demand a cure of the reported violation(s).

In addition, within thirty (30) days after notifying the dealer of its non-compliance, EGL will provide on-site training to all dealership personnel who are involved in the sale of ATVs. The training will include, but not be limited to, information concerning the above-listed requirements, the need for compliance with them, and the potential enforcement actions (including termination and non-renewal of the dealership agreement) that the dealer may incur if non-compliance continues. A record of the training effort will be made by EGL and provided to CPSC staff during bi-annual reporting (as described in the "Reporting" section below).

- Follow-up Monitoring and Enforcement for Repeated Non-Compliance

Within sixty (60) days after completing the above-referenced training for a non-compliant dealer, EGL will conduct an undercover, on-site, follow-up inspection of the dealer to determine whether the dealer is complying with the above-listed requirements. If this follow-up inspection reveals evidence of continuing violations, EGL will take remedial action against the dealer, up to and including possible termination or non-renewal of the dealership agreement with EGL.

If EGL elects not to terminate the dealer's contract, remedial actions will at a minimum include additional undercover on-site inspections of the dealer. If these additional inspections reveal an additional violation, EGL will terminate or decline to renew the dealer's contract. In each instance, EGL will inform the CPSC Office of Compliance and Field Operations in advance of any remedial action or disposition, and it will provide the CPSC staff a reasonable opportunity to comment on



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E. HOLT BLVD SUITE A

ONTARIO, CA 91761

such action or disposition before it occurs.

- Reporting

EGL will report the results of its dealer monitoring program to the CPSC staff on a bi-annual basis, with reports due to the CPSC's Office of Compliance and Field Operations on February 1 and August 1 of each year. These reports will include a list of non-complying dealerships, the date of inspection, and all training or enforcement actions taken by EGL, along with dates of all follow up activities and remedial actions. EGL will maintain a list of all dealerships inspected each year in spreadsheet format, and this spreadsheet shall be provided promptly to the CPSC staff upon its request. The CPSC staff will maintain the confidentiality of these reports in accordance with applicable laws. The CPSC staff also reserves the right to request additional information from EGL regarding the results of EGL'S dealer monitoring program.

- Notice to Dealers

EGL will notify its dealers in writing of its dealer monitoring program within fifteen (15) days of the effective date of this Action Plan. The notice will remind dealers of their ongoing obligations to comply with the above-listed requirements and the consequences of noncompliance, including, but not limited to, the assessment of administrative costs for EGL'S monitoring of the dealer and possible termination or non-renewal of the dealership agreement. EGL will provide the CPSC's Office of Compliance and Field Operations an advance copy of the notice.

Training Program

EGL will offer each first time ATV buyer, and age appropriate members of the buyer's immediate family, an opportunity to take a free hands-on ATV training through the All-Terrain Vehicle Safety Institute® (ASI), a not-for-profit division of the Specialty Vehicle Institute of America® (SVIA), was formed in 1988 to implement an expanded national program of all-terrain vehicle (ATV) safety education and awareness. EGL will pay for the course directly to ASI.

After completion of the ASI course, the rider will qualify for an incentive of \$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 safety equipment or a credit toward the purchase of new safety equipment.

The purchaser will be informed of the free training offer several different ways. Inside the package containing the instruction manual will be a Free Training Certificate. To help ensure that the customer not only has the certificate but also is aware of the free training offer, the sales person and the customer will be required to fill out an online Warranty Registration form before the ATV leaves the store. One of the items which must be checked off by the customer is an acknowledgement that they have received the offer of free training. In addition to the free training offer will be set out on EGL's web site and in brochures available in the stores.

EGL will also require warranty information to be completed on-line by EGL's retailers at time of purchase. Within two weeks of purchase, EGL will send by electronic (if available) and regular mail a reminder card of the training offer and incentives to the purchaser.



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E. HOLT BLVD SUITE A

ONTARIO, CA 91761

The hands-on training offer will be in addition to training information provided to the consumer in the form of owner manuals, hang tags, warning labels, safety alerts, DVD safety video, and other media. Registration information for EGL's training and incentives program will be offered to customers at point of purchase, be shown on our safety alerts, placed on our hang tags and displayed on our website. New EGL purchasers and members of the purchaser's immediate family members who are within the recommended age groups of the ATV purchased, and who desire to register for the ATV training course, can register with ASI

Safety Alerts

EGL will provide to dealers for dissemination to each buyer at the point of purchase a "Safety Alert" containing the same substantive safety information as the Safety Alert at section H.3.b(4)(c) and Appendix J of the 1988 ATV Consent Decrees stating death and injury statistics for ATVs, safety rules, age recommendations, and information concerning the ATV training course including details of the incentive program provided by EGL.

Warning Labels

EGL will use all required labels as required by Section 4.23 of the ATV Standard which includes general age recommendation, passenger, tire pressure, and overloading labels and conform to the ATV Standard.

Owner's Manual

EGL will provide a written owner's manual for each ATV sold, and the owner's manual will conform to section 4.21 of the ATV Standard.

Hang Tags

EGL will provide hang tags for every ATV distributed. All hang tags will comply with the requirements of section 4.24 of the ATV Standard and will include age recommendations, vehicle category, training availability, and safety messages. EGL will use its best efforts to require retailers to display the hang tags on new ATVs, and this will be part of EGL's unannounced audits of retailers.

ATV Safety Video

EGL will provide to each ATV purchaser a DVD safety video as described in Section H.3.b.(4)(b) and paragraphs II.A and II.C of Appendix I of the 1988 ATV Consent Decrees. The video will be included in the shipping carton when the unit is packaged during production. The video will contain safety messages in accordance with safety messages found on the general ATV warning label. The video will be given to the consumer by the retailer during the sales process. EGL will also place a link on the EGL web-site to this safety video. This will allow users, and subsequent owners, who may not have the DVD to watch the video presentation.

Toll Free Telephone Hotline

EGL will provide its customers a toll free 24-hour consumer hotline to respond to consumer inquiries as described at Section H.4 of the 1988 ATV Consent Decrees. Agents of ASI will be trained

**EGL MOTOR, INC**

909-391-4415

INFO@EGLMOTOR.US

1410 E. HOLT BLVD SUITE A

ONTARIO, CA 91761

to provide safety and training information including age recommendations. EGL further agrees the hotline service will offer to send, free of charge, to every person who calls and requests copies of the ATV Safety Guide produced for the in-store distribution. EGL's toll-free number will be printed in all owner manuals, EGL ATV web-sites, and other promotional materials.

Advertisement

EGL advertisement and promotional materials will show safety information and will depict ATVs in a manner consistent with safe and responsible use of the product. All riders shown will be wearing helmets and full protective gear. All marketing and advertising materials will include the substance of the safety messages that are described in Section J.1 and Appendix K of the 1988 ATV Consent Decree. There will be an age recommendation on every model of EGL ATV and no advertising or marketing materials should imply that teenagers or children may ride adult sized ATVs. EGL will use its best efforts to promote dealer compliance with all rules and guidelines in this action plan, including the advertising and marketing requirements.

Information/Education Program

EGL is committed in both time and effort to ensure the use of safety and education packages with every ATV to the EGL dealers. EGL's focus of the ATV safety and education program is to stress the importance of children under the age of 16 not operating Adult ATVs and importance of wearing the appropriate safety gear while riding ATVs. The program's message will be delivered through in-store advertising, in-store pamphlets and the Internet.

- EGL will require its dealers implement an information/education effort to communicate appropriate age recommendations, the importance of wearing safety gear, and other safety-related information to consumers. The materials and information will be based on all publications produced by the Specialty Vehicle Institute of America ("SVIA") and the ATV Safety Institute ("ASI"). The materials will provide safety information and warn children under the age of sixteen of the risks and dangers of operating adult-sized ATVs.
- EGL make commitment to set aside a fund of \$25,000 per year for the next ten years on its Information and Education Program
- EGL's website will provide on-line access and the ability for consumers to communicate with EGL and others as well as download safety and education information. The website will provide appropriate warnings against the improper use of ATVs and explain the risks associated with ATV use. Users will be able to print the valuable safety and education information for personal use or to share with others.
- EGL will sponsor a safety ad campaign, including web advertising and post advertising in major off-road publications. The ads will promote safe riding and age recommendations. The ads will continuously run throughout the whole year.
- The delivery of the message will also be promoted through the inclusion of the web-site address on all Owner's manuals and printed safety messages. The web-site address and safety message will be included in Retail Print Circulars published by EGL ATV retailers.



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E HOLT BLVD SUITE A

ONTARIO, CA 91761

- EGL will distribute safety reminders by direct mail within a few weeks of retail purchases. The reminders will include the safety messages and information about the free ATV training and incentives for completing that training
- EGL will provide DVDs with every ATV sold. These DVDs will feature safety themes and messages consistent with the 1988 ATV Consent Decrees.
- EGL will also supply an EGL ATV Safety instore poster for all EGL retailers. The standalone in-store poster will deliver a message consistent with the general warning label and age restriction warning label. The in-store poster will contain a small pamphlet containing safety information and directions to the EGL ATV Safety web-site. The displays and pamphlets stress personal and family responsibility in the proper use of ATVs.
- EGL will require authorized dealers to display SVIA and ASI posters and educational materials in their retail locations.

3-Wheel ATVs

EGL will not manufacture, market, or sell 3-wheel ATVs.

Participation in ASI's Safety Program

If at any time the EGL is no longer a participating member of ASI's Safety Program, EGL will cease to import and distribute ATVs in commerce until EGL is able to implement its own Information and Education Program that complies with Appendix N of the 1988 ATV consent Decree and is approved by the CPSC staff.

Voluntary Standards

EGL will participate in the ongoing efforts to update and revise the ATV voluntary standard. Potential technical issues identified by CPSC staff will be discussed and considered in good faith as part of those efforts.

Advance Notice of Changes

EGL intends to maintain the above Action Plan indefinitely. EGL will provide information about these activities upon receipt of reasonable requests from the CPSC. EGL will provide CPSC a 60-day notice of its intention to terminate or materially change any commitment under our Action Plan.

Amendment and Termination Procedures

If Commission staff determines that EGL's approved ATV Action Plan is no longer effective or adequate, Commission staff may take certain action, including but not limited to notifying EGL that its ATV Action Plan must be amended to address the effectiveness or adequacy of the plan. With that notification, Commission staff shall provide EGL with the text of any proposed amendment. EGL and Commission staff must reach agreement on the proposed amendment within



EGL MOTOR, INC

909-391-4415

INFO@EGLMOTOR.US

1410 E. HOLT BLVD SUITE A

ONTARIO, CA 91761

30 calendar days of the notification, unless Commission staff grants an extension for good cause. If EGL and Commission staff fail to reach an agreement within the designated timeframe, then Commission staff may recommend termination of the EGL Action Plan. Additionally, (i) if EGL fails to comply with the obligations of this ATV Action Plan, or (ii) if Commission staff determines that EGL can no longer comply with the obligations of this ATV Action Plan, or (iii) if EGL fails to adopt a requested amendment within the timeframe specified by staff, Commission staff, after providing EGL with notice and an opportunity to respond, may recommend termination of the ATV Action Plan. EGL may not manufacture, import, or distribute any ATV in the United States under this Action Plan after receiving written notice of such termination. Failure to cease manufacture, importation, or distribution in United States commerce of any ATV under this ATV Action Plan after receipt of notice of termination is a prohibited act under section 19(a)(1) of the CPSA, 15 U.S.C. §2068(a)(1).

EGL is proud of our insistence on selling only quality and safe ATVs, and looks forward to working with and maintaining a good standing relationship with the CPSC in the future.

EGL hereby agrees to take all of the actions to promote ATV safety set forth in this EGL ATV Action Plan, and further agrees to fulfill each of the undertakings set forth in this Plan. EGL understands that any failure to perform the actions, or fulfill the commitments set forth in the Plan may result in termination of the Plan.

Yours Truly,

Jiangzheng Xu
EGL MOTOR INC.

YONGKANG EAGLE MOTOR CO., LTD.

No. 87, Sifang Road, Western New, Zone, Yongkang, Zhejiang 321300 China
T. 86-579-87435820 F. 86-579-87435797 www.eglmotor.com

Nov 30,2017

Office of the Secretary
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, Maryland 20814

Re: ATV Action Plan of EGL Motor Inc.

Dear Mr. Whitfield:

This letter supplements the ATV Action Plan submitted to the U.S. Consumer Product Safety Commission by EGL Motor Inc. ("EGL"), on Oct. 30, 2017, (the "Plan") and should be considered to be part of the Plan.

Yongkang Eagle Motor Co., Ltd. hereby agrees to provide financial and business support to ensure that EGL takes all of the actions to promote ATV safety set forth in the Plan, and further agrees to ensure that EGL fulfills each of the undertakings set forth in the Plan.

Yongkang Eagle Motor Co., Ltd. understands that any failure by EGL to perform the actions, or fulfill the commitments set forth in the Plan could result in termination of the Plan.

Sincerely,



Jiangzheng Xu/Owner
Yongkang Eagle Motor Co., Ltd
No. 87, Sifang Road, Western New, Zone,
Yongkang, Zhejiang 321300 China