



IRBIS USA Inc.

519 West 22nd Street, Suite 100 Sioux Falls, SD 57105

IRBIS USA INC
9100 85th Ave N, Suite 130,
Brooklyn Park, MN 55443
Phone (763) 205-4776

November 27, 2017 Delivery by Electronic Mail

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

Re: ATV Action Plan of IRBIS USA INC

Action Plan for CPSC

IRBIS USA INC. ("IRBIS") is fully committed to the goal of reducing ATV-related accidents. We have implemented new policies in accordance with the rules set forth by Section 232 of the Consumer Product Safety Improvement Act of 2008. This action plan covers all ATVs imported, manufactured, distributed, sold, and/or offered for sale by IRBIS and its distributors and retailers regardless of the dates of importation and manufacture of the ATV. The actions outlined below are part of our continuing effort to promote safe and responsible use of our ATVs.

Age Recommendations

IRBIS will only recommend, market, and sell ATVs for use under the age category/speed guidelines specified in Section 6 of the ANSI/SVIA 1-2010 Standard for ATVs ("the ATV Standard"). IRBIS will not recommend, market, advertise, or sell adult-sized ATVs for the use of persons less than 16 years of age. IRBIS will use its best efforts to ensure that our dealers comply with these requirements. IRBIS will not recommend, market, advertise or sell Y-6+ youth-size ATVs for use of persons under 6 years age, Y-10+ youth-size ATVs for the use of persons under 10 years of age; or Y-12+ youth-size ATVs for the use of persons under 12 years of age.

Information & Education Program

IRBIS will develop a new informational and educational effort to communicate age requirements, passenger dangers, and other safety related information to consumers, through its websites, literature and posters in dealer's stores. IRBIS makes a commitment to set-aside \$18,000 per year for the next ten (10) years to support its Information and Education Program. IRBIS 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. IRBIS will sponsor a safety ad campaign, including web advertising and print advertising in major off-road publications. The ads will promote safe riding and age recommendations. The ads will continuously run throughout the whole year. IRBIS will distribute safety posters and flyers to authorized dealers. The content of these posters and flyers will include the safety messages for IRBIS dealers to display.

IRBIS will require authorized dealers to display SVIA and ASI posters and educational materials in their retail locations. IRBIS will require that all authorized dealers implement a new information/education effort to communicate age recommendations, passenger, and other safety- related information to consumers. The materials and information will be based on all publications produced by SVIA and 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.

- **YMCA and Boys and Girls Clubs of America**

As part of the IRBIS Safety Education Program, IRBIS USA will partner with both the YMCA and Boys and Girls Clubs of America. Both Organizations are safe places to learn and grow and we plan to participate in YMCA and BGCA Programs and services that promote and enhance the development of boys and girls by instilling a sense of competence, usefulness, belonging and influence.

In continuing education efforts, IRBIS will pursue creating an educational outreach program with the YMCA and Boys and Girls Clubs of America to develop an awareness of the dangers, the required ATV training and the safety issues within the local communities. IRBIS and its dealers would develop this program by offering a free ATV Safety Institute training class and the loan of an ATV vehicle from the local dealer to interested Club to promote ATV safety.

- **Internet**

In promoting ATV safety and educational efforts, IRBIS will also provide its safety video for use for the Boy Scouts of America's website, to distribute its safety message and promote the safe use of ATVs. IRBIS will provide through website mediums such as the BSA and other non-profit groups that have a core constituency of young adults, both information and educational materials on the dangers of ATVs. Through internet links, IRBIS will continue its educational outreach on a continual basis. Through local, state and national non-profit groups, IRBIS will make an annual effort to further ATV safety.

To get the word out on ATV safety and to make sure it gets to a young audience, IRBIS will be putting its own video of ATV safety on YouTube. This video will be a short video to tell of the importance of taking a hands-on ATV safety training course and demonstrating dangerous things not to do on an ATV. This will get the attention of younger YouTube Internet visitors and still be non-commercial enough to get the point across of safety.

- **Dealers**

IRBIS will create and disseminate a safety poster for posting by all of IRBIS's dealers. This poster will feature safety and educational information containing ATV safe riding messages and encouraging correct ATV sizing and the need to take the hands-on safety training.

IRBIS will encourage dealers to promote the importance of ATV safety by recommending that each purchaser visit the ASI's website to learn more about the safe operation of an ATV. In addition, IRBIS will provide dealers information about the dangers of unsafe riding.

- **Targeted Distribution of Safety Material**

IRBIS intends to distribute the aforementioned safety posters to pediatric offices, schools, and public libraries on a national level so that these materials may target children in the hopes of keeping children informed of safety precautions. Additionally, IRBIS intends to distribute safety brochures to dealers in order to target individual consumers. Additionally, IRBIS will mail safety brochures directly to individual consumers subsequent to their ATV purchase in order to act as a post-purchase reminder of safety measures that a consumer should abide to. Further, these brochures will incorporate valuable safety messages to parents in regards to child safety warnings and precautions.

- **Print Ad Campaign**

IRBIS's print advertisements will feature safety messages communicating the importance and availability of safety training. These same print advertisements will be in ATV Rider Magazine quarterly. All of IRBIS USA's print advertisements will feature safety messages.

- **Development of Safety Devices**

We feel the most critical safety issue is that there must be an effort to deter children under the age of sixteen from operating adult-sized ATVs or riding as passengers. We will continue to work with the CPSC in this effort, and IRBIS will continue to work on additional safety devices to aid responsible parents in supervision. One of those could be some type of safety key requirement for adults using the vehicle, as is used currently in racing ATVs, whereas a safety wrist harness would be attached to the adult-sized ATV for safety, and if the adult leaves the vehicle, the vehicle would stop running and reduce the dangers of small children being attracted to a running ATV. IRBIS will make technical advances on ATVs to prevent unwanted stop and start functions, and to keep young children off of unattended, idling adult ATVs.

Safety Reminders

IRBIS will use safety reminders as part of its educational and informational effort by doing the following: Within a few days of each consumer purchase, IRBIS will utilize the trained staff of the 24-hour hotline to call each new purchaser to ensure that customers were properly notified by the dealer about taking the ASI Safety Training course and about the \$100 incentive for completing the course.

A few weeks after each consumer purchase, IRBIS will also send a letter or email to all purchasers of IRBIS ATVs to remind the purchaser about the importance of taking the ASI Safety Training course.

ATV Labels

All IRBIS ATVs will have the warning labels required by Section 4.23 of the ANSI/SVIA 1-2010 Standard for ATVs ("the ATV Standard"). This includes general, age recommendation, passenger, tire pressure, and overloading labels.

Owners Manuals

All IRBIS ATVs will be sold with an owner's manual that complies with the requirements of Section 4.21 of the ATV Standard.

ATV Hangtags

All IRBIS ATVs will have the hang tags required by Section 4.24 of the ATV Standard. The hang tags will include information about age recommendations, vehicle category, training availability, and safety messages. IRBIS will use its best efforts to require dealers to display the hang tags on all new ATVs. IRBIS field representatives will spot check that tags remain on ATVs on display at ATV dealerships.

Training

IRBIS will offer free, hands-on, interactive training to all IRBIS ATV purchasers. This free training will be extended to the buyers' immediate relatives who are age appropriate for the ATV purchased. This training will be conducted through the existing educational programs of the ASI

In addition, after completion of the ASI course, the rider 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 safety equipment or a credit towards the purchase of new safety equipment.

Consumers will be notified about the availability of the free, hands-on training for an IRBIS ATV purchaser and the buyers' immediate relatives who are age appropriate for the ATV purchased, before, during and after the purchase of the IRBIS ATV.

Before a consumer makes a purchase of a IRBIS ATV, the consumer will have an opportunity to view IRBIS sponsored posters positioned in the store, displaying a rider with the proper safety helmet and safety gear on and announcing the IRBIS-sponsored free, hands-on training and the additional incentive of a \$100 for completing the ASI training program.

During the purchase, the consumer will be asked to read, and sign a document acknowledging all of the safety warnings, hazards and dangers of riding and driving an ATV. The purchaser has to read and sign this document in order to receive the manufacturer's warranty on the ATV.

After the purchase, the purchaser is told by the dealer that he or she can sign up now for the ASI training program. The dealer will also give the purchaser of the IRBISATV a coupon to get reimbursed for the full cost of the ASI training program when completed.

And, finally, the IRBIS ATV purchaser will receive in the mail or by email shortly after the purchase from IRBIS, a letter of congratulations from IRBIS of the ATV purchase and another reminder of the offer for the Free, hands-on training program of the ASI and the \$100 incentive on completing the safety training program.

Each IRBIS ATV will have a form included in the ATV to fill out for the dealer to receive direct compensation from IRBIS for the \$100 for the free training completion incentive, and to have the dealer reimbursed for the ASI training that was completed.

ATV Safety Video

IRBIS will provide a Safety Video in DVD format to its distributors for dissemination to all retail purchasers of IRBIS ATVs. The video shall comply with all requirements described at Section H.3.b. (4) (b) and paragraphs II.A and II.C of Appendix I of the 1988 ATV Consent Decree. The Safety Video may be used by dealers at the point of purchase for demonstration of safety issues and to highlight the need for, and availability of, hands-on safety training.

Advertising

When preparing and presenting advertising and promotional materials, IRBIS will depict the safe and responsible operation of ATVs. The use shown will be appropriate to the ATV, the age of the operator, and the depicted situation. ATV riders depicted in advertising and promotional materials will wear helmets and full protective gear. These marketing materials and presentations will contain the safety messages described in Section J.1 and Appendix K of the 1988 ATV Consent Decree and will contain information about the availability of operator training. IRBIS will use its best efforts to promote dealer compliance with the advertising requirements, including conditioning cooperative advertising funding on such compliance.

Toll-free ATV Safety Hotline

IRBIS will provide a toll-free, 24-hour hotline to respond to consumer inquiries as described at Section H.4 of the 1988 ATV Consent Decree. Agents will be trained to provide safety and training information, including age recommendations. IRBIS will also provide to callers, free of charge, appropriate copies of safety-related materials. IRBIS's toll-free number will be printed in all owners' manuals, ATV web-sites and other promotional materials.

ATV Safety Posters

IRBIS will provide ATV Posters to our dealers. All the dealers are required to promote the ATV Safety Posters to all actual and prospective ATV consumers.

Safety Alert

IRBIS will supply its dealers "Safety Alert" documentation to be provided at the point of purchase to all retail purchases of IRBIS ATVs. The document will contain 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 includes: death and injury statistics for ATVs, safety rules, age recommendations and the availability of safety training.

Participation in ASI's Safety Program

If at any time IRBIS is no longer a participating member of ASI's Safety Program, and therefore no longer able to access ASI's training and safety materials and services, IRBIS will cease to distribute ATVs into US commerce until such time that IRBIS is able to provide equal or greater materials and services as described herein.

3-Wheel ATV

IRBIS has never manufactured any such vehicle with only three wheels as an ATV, and it will not manufacture, sell or market such ATVs.

Dealer Monitoring Requirements

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

IRBIS will use its "best efforts" to ensure that its dealer complies 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
- 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.

IRBIS 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. IRBIS 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.

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 IRBIS's independent investigators, IRBIS 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, IRBIS 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 IRBIS and provided to CPSC staff during bi-annual reporting.

Within sixty (60) days after completing the above-referenced training for a non-compliant dealer, IRBIS 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, IRBIS will take remedial action against the dealer, up to and including possible termination or non-renewal of the dealership agreement with IRBIS. If IRBIS 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, IRBIS will terminate or decline to renew the dealer's contracts. In each instance, IRBIS 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 such action or disposition before it occurs.

IRBIS 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 IRBIS, along with dates of all follow up activities and remedial actions. IRBIS 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 IRBIS regarding the results of IRBIS's dealer monitoring program.

IRBIS 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 non-compliance, including, but not limited to, the assessment of administrative costs for IRBIS's monitoring of the dealer and possible termination or non-renewal of the dealership agreement. IRBIS will provide the CPSC's Office of Compliance and Field Operations an advance copy of the notice.

Notice of Changes of Action Plan

IRBIS intends to maintain the above specified actions indefinitely. IRBIS will provide information about these activities upon receipt of reasonable requests from the CPSC. IRBIS will notify the CPSC at least sixty (60) days prior to terminating or materially changing any of these activities.

Voluntary Standards

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

Amendment and Termination Procedures

If Commission staff determines that IRBIS's approved ATV Action Plan is no longer effective or adequate, Commission staff may take certain action, including but not limited to notifying IRBIS that the ATV Action Plan must be amended to address the effectiveness of adequacy of the plan. With that notification, Commission staff shall provide IRBIS with the text of any proposed amendment. IRBIS and Commission staff must reach agreement on the proposed amendment within thirty (30) calendar days of the notification, unless Commission staff grants an extension for good cause. If IRBIS and Commission staff fail to reach an agreement within the designated timeframe, then Commission staff may recommend termination of the Action Plan. Additionally, (i) if IRBIS fails to comply with the obligations of this ATV Action Plan, or (ii) if Commission staff determines that IRBIS can no longer comply with the obligations of this ATV Action Plan, or (iii) if IRBIS fails to adopt a requested amendment within the timeframe specified by staff, Commission staff, after providing IRBIS with notice and an opportunity to respond, may recommend termination of the ATV Action Plan. IRBIS may not manufacture, import, or distribute any ATV in the United States under this Action Plan after receiving notice of termination. Failure to cease manufacture, importation, or distribution in the 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).

On behalf of IRBIS USA, thank you in advance for your attention to this important matter. IRBIS stands ready to comply with all ATV action plan requirements. IRBIS hereby agrees to take all of the actions to promote ATV safety set forth in this IRBIS ATV Action Plan, and further agrees to fulfill each undertaking set forth in this Plan. IRBIS understands that any failure to perform the actions, or fulfill the commitments set forth in the Plan may result in termination of the Plan.

Sincerely,
Konstantin Archakov
General Manager
IRBIS USA

Konstantin Archakov

12/11/2017

Ирбис Моторз Общество
с ограниченной
ответственностью
142611, Московская область,
г. Орехово-Зуево, ул. Тургенева, д. 1
ОГРН 1117604019896
ИНН/КПП 7604215749/503401001

Irbis Motors
LLC
142611, Moscow region,
Orekhovo-Zuyevo,
Turgenev str., 1

Иск № _____ от 6 декабря 2017 г. (06.12.2017)

Re: ATV Action Plan of Irbis USA Inc

Dear Mr. Whitfield,

This letter supplements the ATV Action Plan submitted to the U.S. Consumer Product Safety Commission by Irbis USA Inc, ("Irbis") should be considered part of the Irbis USA ATV Action Plan (the "Plan").

IRBIS Motors hereby agrees to provide financial support to ensure that Irbis USA takes all of the actions to promote ATV safety as set forth in the Plan, and further agrees to ensure Irbis USA fulfills each of the undertakings set forth in the Plan.

IRBIS Motors understands that any failure by Irbis USA to perform the actions, or fulfill the commitments, set forth in the Plan could result in termination of the Plan.

Sincerely,

Michail Burda



General Manager

IRBIS Motors

1 Turgenev st, Orekov-Zuevo,
Moscow reg, 142611 Russia