



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Chairman Inez M. Tenenbaum
Commissioner Thomas H. Moore
Commissioner Nancy A. Nord
Commissioner Anne M. Northup
Commissioner Robert S. Adler

ITEM:

BMX Imports, Inc. – Proposed ATV Action Plan
(Briefing Package dated December 8, 2009, OS No. 3968)

DECISION:

The Commission voted (4-0-1) to approve the proposed All Terrain Vehicle ("ATV") Action Plan of BMX Imports, Inc., dated October 29, 2009. Under Section 42(a) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2089(a), manufacturers and importers may only import or distribute in commerce any new assembled or unassembled ATV that complies with the mandatory standard, that is subject to an action plan filed with and approved by the Commission and that contains labeling certifying compliance with such action plan and identifying the manufacturer, importer or private labeler and the ATV action plan to which it is subject. Chairman Tenenbaum and Commissioner Moore, Commissioner Nord and Commissioner Adler voted to approve the proposed ATV Action Plan. Commissioner Northup abstained from voting.

For the Commission:

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson
Secretary

* Ballot vote due December 15, 2009