



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:

BMS Motorsports, Inc. – Proposed ATV Action Plan
(Briefing Package dated July 21, 2010, OS No. 5096)

DECISION:

The Commission voted (4-0-1) to approve the proposed All Terrain Vehicle (“ATV”) Action Plan of BMS Motorsports, Inc., dated July 1, 2010. 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 newly 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 Commissioners Moore, Nord and 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 July 28, 2010