



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE  
Washington, DC 20590

November 15, 2011

MR. BORIS PARKER  
ATTORNEY AT LAW  
PARKER & WENNER, P.A.  
220 SOUTH SIXTH STREET  
1700 U.S. BANK PLAZA  
MINNEAPOLIS, MN 55402-3707

NVS-215dgl  
11V-544

SUBJECT: REAR WHEEL HANDLEBAR BRAKE/FMVSS 123

DEAR MR. PARKER:

This letter serves to acknowledge Parker & Wenner Attorneys at Law's notification on behalf of your client CFMOTO Powersports, Inc. (CFMOTO) to the National Highway Traffic Safety Administration (NHTSA) of a noncompliance with Federal Motor Vehicle Safety Standard Nos. 123, "Motorcycle Controls and Displays," in the vehicles listed below. Please review the following information to ensure that it conforms to your records.

**Makes/Models/Model Years:**

CHG/CF250T V3/2005-2009

CHG/CF250T V5/2005-2009

**NHTSA Campaign Number:** 11V-544

**Mfg's Report Date:** November 8, 2011

**Components:** SERVICE BRAKES, HYDRAULIC

**Potential Number of Units Affected:** 6,405

**Summary:**

CFMOTO IS RECALLING CERTAIN MODEL YEAR 2005 THROUGH 2009 CF250T V3, AND CF205T V5 AUTOMATIC MOTORCYCLES MANUFACTURED FROM JANUARY 1, 2005, THROUGH DECEMBER 31, 2009. THESE MODELS WERE BUILT WITH A LEFT HAND REAR WHEEL BRAKE INSTEAD OF THE REQUIRED RIGHT FOOT OPERATED REAR WHEEL BRAKE. THEREFORE, THESE VEHICLES FAIL TO COMPLY WITH THE REQUIREMENTS OF FEDERAL MOTOR VEHICLE SAFETY STANDARD NUMBER 123, "MOTORCYCLE CONTROLS AND DISPLAYS."

**Consequence:**

THE ABSENCE OF STANDARDIZED MOTORCYCLE CONTROLS MAY HINDER THE OPERATORS ABILITY TO EFFECTIVELY BRAKE, INCREASING THE RISK OF A CRASH.

**Remedy:**

CFMOTO WILL NOTIFY OWNERS, AND DEALERS WILL INSTALL A RIGHT FOOT CONTROL REAR WHEEL BRAKE KIT FREE OF CHARGE. THE SAFETY RECALL IS EXPECTED TO BEGIN ON OR BEFORE MAY 1, 2012. OWNERS MAY CONTACT CFMOTO AT 1-888-823-6686.

**Notes:**

CUSTOMERS MAY CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY: 1-800-424-9153); OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).

Under 49 U.S.C. § 30112(a), it is illegal for anyone, including a manufacturer, distributor, dealer, or retailer to sell an item of equipment or vehicle that fails to comply with all applicable Federal motor vehicle safety standards.

We note that your report states that CFMoto does not believe that there are negative consequences caused by the absence of a foot controlled rear brake. This statement has no force or effect in terms of CFMoto's obligation to undertake and complete the recall and NHTSA does not agree with it.

We have received your proposed owner notification letter and it is currently under review. You will be notified of any changes or concerns once our review is complete.

Please be advised that irrespective of when CFMoto plans to launch its free remedy campaign, it is expected that all vehicle owners will be notified of the noncompliance within 60 days of CFMoto's notification to NHTSA.

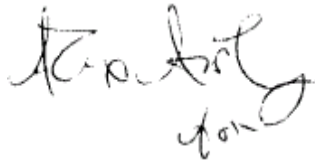
Please be reminded of the following requirements:

Copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on or before 30 days after the close of the calendar quarter.

Your contact for this recall will be Delia Lopez who may be reached by phone at 1-202-366-9525, or by email at [Delia.lopez@dot.gov](mailto:Delia.lopez@dot.gov), or through the office email at [RMD.ODI@dot.gov](mailto:RMD.ODI@dot.gov). We look forward to working with you toward a successful completion of this recall campaign.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Timian". The signature is written in a cursive style with some loops and flourishes.

Jennifer Timian  
Chief, Recall Management Division  
Office of Defects Investigation  
Enforcement