



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

OCT 19 2011

BY CERTIFIED MAIL

Mr. Boris Parker
Attorney at Law
Parker & Wenner
220 South Sixth Street
1700 U.S. Bank Plaza
Minneapolis, MN 55402-3707

NVS-220
Petiton: 00164
ES10-001109

Dear Mr. Parker:

This is to notify you that the National Highway Traffic Safety Administration (NHTSA) has made a determination to deny CFMOTO Powersports, Inc's, February 3, 2010, petition for an exemption from the recall requirements of 49 U.S.C. Chapter 301 on the basis that a noncompliance with Federal Motor Vehicle Safety Standard No. 123, *Motorcycle controls and displays* is inconsequential to motor vehicle safety.

Since this petition has been denied (copy enclosed), you must notify NHTSA according to 49 U.S.C. 30118 and remedy according to 49 U.S.C. 30120. Pursuant to 49 CFR 573.6(c)(8)(iii), you must submit an amended Noncompliance Information Report to my office no later than five (5) working days from your receipt of this letter. The report shall include the following information: a recall population, a problem description, a remedy, and a recall schedule. If a portion of the information, which is required to fully describe the recall, is unknown, the report must still be submitted on time. The remaining information is to be provided as it becomes available.

If you have any questions regarding your recall obligations, you may contact Jennifer Timian, Chief of the Recall Management Division at (202) 366-0209.

Sincerely,

Claude H. Harris
Acting Associate Administrator
for Enforcement

Enclosure