



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE.  
Washington, DC 20590

December 12, 2012

**BY EMAIL & U.S. MAIL**

David W. T. Carroll  
Carroll, Ucker & Hemmer LLC  
7100 North High Street, Ste. 301  
Worthington, OH 43085

In re: MY 2009 WF650-C, NHTSA Recall No. 12V-031; Findings, Conclusions, and Order on Wildfire's Failure to Reasonably Meet its Recall Remedy Requirements, issued on November 13, 2012

Dear Mr. Carroll:

I received your letter dated December 10, 2012 requesting a stay of the National Highway Traffic Safety Administration ("NHTSA")'s Findings, Conclusions, and Order on Wildfire's Failure to Reasonably Meet its Recall Remedy Requirements, issued on November 13, 2012 ("Order"). As you are aware, the Order resulted from a public hearing held October 15, 2012 following notice in the Federal Register. There was testimony on the failure of the Model Year 2009 Wildfire WF650-C to meet stopping distance requirements. Wildfire was aware of the hearing and submitted written comments.

I am denying your request for a stay. The Model Year 2009 Wildfire WF650-C that is the subject of the Order is unsafe. It fails to comply with Federal Motor Vehicle Safety Standard No. 122, *Motorcycle brake systems*. Wildfire's unreasonable delay in remedying the Model Year 2009 Wildfire WF650-C risks the safety of vehicle owners and others on the road. A stay would result in further delay. This is unacceptable in light of the safety concerns.

Sincerely,

O. Kevin Vincent  
Chief Counsel