

**LITTLETON JOYCE
UGHETTA PARK & KELLY LLP**

NEW YORK CITY | PURCHASE, NY | RED BANK, NJ | LOS ANGELES | PHILADELPHIA

August 20, 2013

VIA EMAIL

Associate Administrator for Enforcement
National Highway Traffic Safety Administration
Attn: Recall Management Division (NVS-215)
1200 New Jersey Ave, SE
Washington, DC 20590

Attn: Ms. Nancy L. Lewis

**Re: Submission of Part 573 Report
Voluntary Recall of Street & Steel® Big Bore Model Motorcycle
Helmet, Sizes Extra Small and Small
Our File No.: 00149.00001**

Dear Ms. Lewis:

In accordance with 49 CFR Part 573, Cycle Gear, Inc. ("Cycle Gear"), which I represent as counsel, is submitting this information report involving Street & Steel® brand "Big Bore" model motorcycle helmets, sizes Extra Small and Small, manufactured in December 2012, some of which may not comply with the impact attenuation requirements of Federal Motor Vehicle Safety Standard ("FMVSS") 218.

Description of Noncompliance

Some Extra Small and Small size Street & Steel Big Bore model motorcycle helmets manufactured in December 2012 may not comply with the impact attenuation requirements of S5.1 of FMVSS 218.

Identification of Helmets Involved in Recall

The helmets involved in this recall are Extra Small and Small size Street & Steel brand Big Bore model motorcycle helmets (Model No. ST-229) manufactured in December 2012. The fabricating manufacturer of the affected helmets is Strategic Sports Limited, LiuHuang 3rd Industrial Zone, ChaShan Town, DongGuang City, GuangDong Province, China.

This recall is limited to helmets manufactured in December 2012 because Cycle Gear is the exclusive importer and retailer of Big Bore helmets and has only received one shipment of Big Bore model helmets, all of which were manufactured in December 2012. Thus, Cycle Gear has not sold any Big Bore helmets that were manufactured at other times.

Recall Population

The total number of helmets involved in this recall is 222. Of the 222 affected helmets, 49 helmets are Extra Small size and 173 helmets are Small size.

Percentage of Helmets Estimated to Contain Noncompliance

Unknown. Therefore, Cycle Gear will, in an abundance of caution, voluntarily recall all Extra Small and Small size Big Bore model motorcycle helmets manufactured in December 2012, even those helmets that are in compliance with FMVSS 218.

Chronology of Events

In June 2013, Cycle Gear performed routine random sample testing on Extra Small size Big Bore model motorcycle helmets (Model No. ST-229) manufactured in December 2012. The results of that testing indicated that certain Extra Small size Big Bore helmets did not comply with the dwell time requirements in S5.1 of FMVSS 218. Cycle Gear immediately quarantined and suspended shipment of all Extra Small and Small size Big Bore helmets in its inventory. (Small size Big Bore helmets use the same shell configuration as Extra Small size Big Bore helmets and were therefore included in the quarantine. All other sizes of Big Bore helmets employ different shell configurations and have passed FMVSS 218 testing.) Subsequent testing of Extra Small and Small size Big Bore helmets on June 28, 2013 and July 9, 2013, respectively, yielded dwell time failures for both size helmets. Accordingly, Cycle Gear initiated this voluntary recall. Because Cycle Gear cannot be sure whether all Extra Small and Small size Big Bore model helmets manufactured in December 2012 comply with S5.1 of FMVSS 218, it will voluntarily recall all Extra Small and Small size Big Bore model helmets manufactured in December 2012. All other sizes (M, L, XL, XXL) of the Big Bore helmet were subsequently tested and confirmed to pass DOT standards.

Remedy

Cycle Gear will provide owners of the affected helmets with either: 1) a replacement helmet of any model up to \$189.99 in retail value; 2) a credit of \$189.99 towards the purchase of another helmet of higher value; or 3) a full refund of the original purchase amount up to \$99.99 plus applicable tax. In addition, owners of the affected helmets will receive a gift card redeemable for \$25 worth of Cycle Gear merchandise.

Proposed Manner of Notification

Cycle Gear has consumer contact information for purchasers of 189 of the 222 affected helmets. Therefore, Cycle Gear proposes to notify those consumers of this recall by letter via first class mail. Because Cycle Gear has no way of directly contacting purchasers of the other 33 helmets involved in this recall, it proposes to provide public notice, as contemplated by 49 CFR §577.7(a)(2)(ii)(B). Copies of Cycle Gear's proposed owner notification letter and a proposed point-of-sale poster are enclosed for NHTSA's review and approval. Cycle Gear will also post notice of the recall on its consumer website. Cycle Gear is prepared to proceed with the owner notification for this recall, as

outlined above, upon receipt of a recall identification number and approval of the enclosed notice documents from NHTSA.

Please advise the undersigned, James C. Ughetta, Esq. of Littleton Joyce Ughetta Park & Kelly LLP, The Centre at Purchase, 4 Manhattanville Road, Suite 202, Purchase, NY 10577, by letter and email (james.ughetta@littletonjoyce.com) of the NHTSA recall number assigned to this campaign, and if NHTSA has any questions concerning this matter.

Very truly yours,

LITTLETON JOYCE UGHETTA PARK & KELLY LLP

A handwritten signature in black ink, appearing to read "J. Ughetta". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the left.

James C. Ughetta

W/Enclosures

cc: Ms. Kelly Schuler
NHTSA

David Bertram
Cycle Gear, Inc.