

**AGREEMENT OF ARCTIC CAT INC.
AND
U.S. CONSUMER PRODUCT SAFETY COMMISSION**

I. Background

A. In December 1987, the Department of Justice at the behest of the Consumer Product Safety Commission ("CPSC") initiated an action against manufacturers and distributors of three- and four-wheel all terrain vehicles ("ATVs") in the United States, (United States v. American Honda, et al., Civil Action No. 87-3535 (D.C.C.)). The government's complaint alleged that such ATVs constituted "imminently hazardous consumer products" within the meaning of Section 12 (a) of the Consumer Product Safety Act ("CPSA", 15 U.S.C. § 2061(a)). Negotiations between the parties to that action resulted in the entry of a Final Consent Decree ("Decree") on April 28, 1988. Along with provisions regarding age restrictions, instructions, warnings, training and design, the industry parties agreed to attempt in good faith to reach an agreement on voluntary standards for ATVs, satisfactory to the CPSC, with which the parties would comply.

B. The Commission announced its approval of the industry's "Voluntary Standard for All-Terrain Vehicles" on January 13, 1989 (54 F.R. 1407). The Voluntary Standard, approved as an American National Standard Institute ("ANSI") American National Standard on February 1, 1990 (ANSI/SVIA 1-1990), establishes requirements for equipment, configuration, and performance of four-wheel ATVs.

C. In 1994, ARCTCO, INC. publicly announced its intention to introduce into the domestic market its own line of four-wheel ATVs. In August 1996, ARCTCO, INC. changed its name to ARCTIC CAT INC. For purposes of this agreement and the Action Plan, the term "ARCTIC CAT INC." refers to both ARCTIC CAT INC. and ARCTCO, INC.

D. ARCTIC CAT INC. has endeavored to cooperate with the Commission prior to introducing its ATVs into the market.

E. The provisions of this Action Plan adapt to ARCTIC CAT INC. certain provisions of the Decree, including but not limited to those that relate to ages for operating ATVs, notices and warnings, owner's manuals, point-of-purchase communications, safety-related communications to consumers, marketing and media, and training. The Action Plan also contains the commitment of ARCTIC CAT INC. to comply with provisions of ANSI/SVIA 1-1990 in the manufacture of its ATVs.

II. Terms and Conditions

A. ARCTIC CAT INC. agrees to carry out the actions described in the Action Plan attached to this Agreement between ARCTIC CAT INC. and the CPSC, which is incorporated herein by reference.

B. Based on the agreement of ARCTIC CAT INC. to carry out the provisions of the Action Plan, the CPSC agrees that, until the Agreement expires, it will not take action under Section 12 of the CPSA to seek to bind ARCTIC CAT INC. to provisions of the Decree. However, ARCTIC CAT INC. acknowledges that, if the CPSC determines that the company is not complying fully with the terms of the Action Plan, the CPSC reserves the right to take action against ARCTIC CAT INC. under applicable provisions of the CPSA or other laws for any relief that may be appropriate. Moreover, this Agreement does not preclude the CPSC from seeking, under the CPSA or other laws, any other appropriate relief not provided by the Action Plan with respect to ATVs generally or ARCTIC CAT INC.

C. ARCTIC CAT INC. acknowledges that the CPSC, according to the terms of this Action Plan, may monitor ARCTIC CAT's compliance with such provisions. ARCTIC CAT INC. will furnish all information requested by the CPSC which is

reasonably necessary for proper monitoring of compliance.

D. ARCTIC CAT INC. reserves the right to take actions in addition to those contained in this Action Plan, should ARCTIC CAT INC. and the CPSC agree that such actions will enhance rider safety.

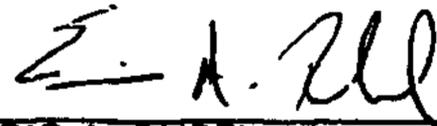
E. ARCTIC CAT INC. further reserves the right to manufacture an ATV for distribution by one of the distributors subject to the Consent Decree under the brand name of that distributor. ARCTIC CAT INC. agrees that such ATV will not be sold or offered for sale for the use of anyone under the age 16 and that such ATV shall comply with the terms and conditions of said Consent Decree and ANSI/SVIA 1-1990.

F. In connection with the cooperative effort of ARCTIC CAT INC. and the CPSC, ARCTIC CAT INC. has provided in confidence, information and documents containing competitively sensitive, confidential information. The CPSC shall comply with 5 U.S.C. § 552(c)(4) and 15 U.S.C. § 2055, as they may apply, in determining the confidentiality of such documents. Materials composed, provided or exchanged in confidence are subject to all applicable rules of evidence limiting their admissibility in court.

G. This Agreement shall expire on April 28, 1998.


CHRISTOPHER A. TWOMEY, President
ARCTIC CAT INC.

8/30/96
Dated


ERIC A. RUBEL
General Counsel of the
U.S. CONSUMER PRODUCT SAFETY COMMISSION

10/3/96
Dated

ACTION PLAN

ACTION PLAN

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A. JURISDICTION

This is a cooperative effort between the CPSC and Arctic Cat Inc. to address the safety of all-terrain vehicles manufactured and distributed by Arctic Cat. The Consumer Product Safety Commission ("CPSC") is an independent regulatory agency formed on May 14, 1973, under the provisions of the Consumer Product Safety Act. The purposes of the Commission are to: (1) protect the public against unreasonable risks of injury and death associated with consumer products; (2) assist consumers in evaluating comparative safety of consumer products; (3) develop uniform safety standards for consumer products and minimize conflicting State and local regulations; and (4) promote research and investigation into the causes and prevention of product-related deaths, illnesses and injuries. 15 U.S.C. § 1051(b); 16 C.F.R. § 1000.1(a).

B. DEFINITIONS

1. All-terrain vehicles (hereinafter referred to as ATVs) that are the subject of this Action Plan are four-wheeled motorized vehicles, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator, and handlebars for steering, which are intended for off-road use by an individual rider on various types of non-paved terrain.

2. The term "Arctic Cat Inc." (or "Arctic Cat") refers to both Arctic Cat Inc. and Arctco, Inc.

3. The term "Arctic Cat ATV" refers to an ATV that has been manufactured by Arctic Cat Inc. and is to be offered for sale under any Arctic Cat brand name by an Arctic Cat dealer.

4. "Best efforts" shall include, among other things, an obligation to require, to the extent permissible under Federal and State law, compliance by Arctic Cat's dealers, agents, or representatives with the terms of this Action Plan through the inclusion of a provision as a term in contracts entered into with dealers and any authorized agents or representatives.

C. SCOPE

The terms of this Action Plan shall apply to all activities by Arctic Cat within the United States, as defined in Section 3 of the Consumer Product Safety Act, 15 U.S.C. § 2052.

D. TERM OF THE ACTION PLAN

The provisions of this Action Plan shall become effective upon signing of the Action Plan by Christopher A. Twomey, President of Arctic Cat Inc. and approval by the Commission. This Action Plan shall remain in effect until April 28, 1998. Thereafter, this Action Plan may be extended upon mutual agreement of the parties in its present form, or in a modified form.

E. AGES FOR OPERATING ARCTIC CAT ATVs

1. Arctic Cat shall represent affirmatively, including in print and electronic media if Arctic Cat uses such print and electronic media for advertising or promoting Arctic Cat ATVs, that Arctic Cat ATVs should be used only by those aged 18 and older. This undertaking includes Arctic Cat's commitment to use its best efforts to accomplish this relief through Arctic Cat's retail dealers, agents or representatives who sell Arctic Cat ATVs.

2. Arctic Cat shall use its best efforts to reasonably assure that Arctic Cat ATVs are not purchased by or for the use of any person under the minimum age set forth above. This undertaking includes Arctic Cat's commitment to use its best efforts to accomplish this relief through Arctic Cat's retail dealers, agents or representatives who sell Arctic Cat ATVs.

3. Arctic Cat's practice has been to represent affirmatively that the Arctic Cat ATVs which it manufactures, all of which have had engine sizes of over 90 cc, should be used only by those aged 18 and older. Arctic Cat agrees not to lower its age recommendation for such Arctic Cat ATVs to less than 16 years of age. Arctic Cat shall represent affirmatively, including in print and electronic media if Arctic Cat uses such print and electronic media for advertising or promoting Arctic Cat ATVs, that Arctic Cat ATVs with engine sizes of greater than 90 cc should be used only

by those who meet its age recommendation. This undertaking includes the commitment to use best efforts to accomplish this relief through Arctic Cat's retail dealers, agents or representatives of Arctic Cat who sell Arctic Cat ATVs.

4. If Arctic Cat manufactures ATVs for distribution by one of the distributors subject to the Consent Decree under the brand name of that distributor, Arctic Cat agrees that the age recommendation for such ATVs will not be lower than 16 years of age.

F. NOTICES AND WARNINGS

1. Labels

Arctic Cat agrees to affix the following labels to all ATVs manufactured by Arctic Cat:

a. Mandatory warning labels

(1) General warning label: Arctic Cat agrees to affix to every Arctic Cat ATV manufactured, distributed, or sold by it, a general warning label, in the form attached as Appendix A (unless another general warning label is allowed under the terms of this Action Plan or the Consent Decree). This label, which was designed to conform with generally accepted labeling principles, shall have the identical language, dimensions, format, type size, and type font as shown in Appendix A. In addition, this label shall conform to the following criteria:

(a) Color scheme: The rectangle enclosing the signal word "WARNING," shall be orange. The signal word "WARNING," shall be in black lettering. The safety alert symbol (the Society of Automotive Engineers (SAE) symbol) shall be a black triangle (point up) enclosing an orange exclamation mark. The remainder of the label shall be in black lettering on a white background. The entire label shall be surrounded by a narrow, white border.

(b) Durability: This label shall meet DOT/EPA standards for durability (48 C.F.R. §567.4(b); 40 C.F.R. §86.087-35(c)(1)).

(c) Location: This label shall be affixed to the left front fender so as to be easily read by the operator when seated on the vehicle in the

proper operating position. If this location is not appropriate for a particular vehicle, the label shall be affixed to the right front fender so as to be easily read by the operator when seated on the vehicle in the proper operating position.

(2) Age recommendation warning label: Arctic Cat agrees to affix to every ATV manufactured, distributed, or sold by it, a label describing the applicable age recommendation for the ATV. Arctic Cat ATVs should be used only by persons age 18 and older. Therefore, the applicable warning label for Arctic Cat ATVs shall be in the form attached as Appendix B. The age recommendation warning label shall have the identical language, dimensions, format, type size, and type font as shown in the applicable Appendix. In addition, the age recommendation warning label shall conform to the following criteria:

(a) Color scheme: The color scheme for the age recommendation warning label shall be the same as that stated in paragraph F.1.a.(1)(a), with the additional requirement that the circle and diagonal slash be red.

(b) Durability: This label shall meet DOT/EPA standards for durability (49 C.F.R. §567.4(b); 40 C.F.R. §86.087-35(c)(1)).

(c) Location: This label shall be affixed to the fuel tank so as to be easily read by the operator when seated on the vehicle in the proper operating position. If this location is not appropriate for a particular vehicle, or, if affixed at this location the label will not meet the durability requirement stated above, the age recommendation warning label shall be placed on the front fender above the label described at paragraph F.1.a.(1). If this location is not appropriate for a particular vehicle, the label shall be placed on the top portion of the headlight or on the vehicle body immediately forward of the seat so as to be easily read by the operator when seated on the vehicle in the proper operating position.

(3) Passenger warning label: Arctic Cat agrees to affix to every ATV manufactured, distributed, or sold by it, a label, in the form attached as Appendix C, warning against riding as a passenger on the ATV. This label shall have the identical language, dimensions, format, type size, and type font as shown

in Appendix C. In addition, this label shall conform to the following criteria:

(a) Color scheme: The color scheme for this label shall be the same as that stated in paragraph F.1.a.(1)(a).

(b) Durability: This label shall meet DOT/EPA standards for durability (49 C.F.R. §567.4(b); 40 C.F.R. §86.087-35(c)(1)).

(c) Location: This label shall be affixed to the body of the vehicle to the rear of the seat, on a flat surface, and toward the center of the vehicle, or to the seat of the vehicle, at the rear of the seat. If neither of these locations is appropriate for a particular vehicle, the label shall be affixed to the left rear fender or left side of the body so as to be easily read by a potential passenger.

(4) Tire pressure and overloading warning label(s):

Arctic Cat agrees to affix to every ATV manufactured, distributed, or sold by it, a label warning against use of improper air pressure in the ATV's tires. Arctic Cat also agrees to affix to every ATV manufactured, distributed, or sold by it, a label warning against overloading. Arctic Cat may affix one warning label addressing both of these hazards if so desired. The label(s) shall conform to the following criteria:

(a) Content: The label(s) shall contain the SAE safety alert symbol and the signal word "WARNING" in capital letters. If Arctic Cat uses separate labels to warn of the above potential hazards, the labels shall contain, at a minimum, the following hazard and consequence statements:

-- "Improper tire pressure can cause loss of control.

Loss of control can result in severe injury or death."

-- "Overloading can cause loss of control.

Loss of control can result in severe injury or death."

If Arctic Cat uses one label for both warnings, that label shall contain, at a minimum, the following hazard and consequence statements:

"Improper tire pressure or overloading can cause loss of control.

Loss of control can result in severe injury or death."

Every label warning about improper tire pressure shall contain a statement indicating the recommended tire pressure(s). Tire pressure information may be stated on the label itself or provided by reference to either the owner's manual, the tires, or both the owner's manual and the tires. Every label warning against overloading shall contain a statement indicating the maximum weight capacity for the Arctic Cat ATV model. Maximum weight capacity shall be stated on the label itself. Any other information appearing on either the tire pressure label or the overloading label shall be safety oriented and shall not detract from or contradict the required statements.

(b) Letter typeface and size: The typeface used in the label shall be Helvetica Bold or New Gothic Bold type font, sans serif. The size of the typeface of the upper case lettering in the text of the warnings shall be at least .10 inches, and the size of the typeface of the signal word "WARNING" and safety alert symbol shall be at least .15 inches.

(c) Format: The SAE safety alert symbol shall precede the signal word "WARNING" on a single line, which shall be separated from the text by a horizontal line. The hazard statement shall appear first in the text of the warning, followed by the consequence statement, and concluded by the avoidance statement(s). The hazard statement, the consequence statement, and the avoidance statement(s) shall be separated by a line of space. The label shall be completely framed with a margin of white space inside a black line forming a rectangle.

(d) Color scheme: The color scheme of this label shall be the same as that stated in paragraph F.1.a.(1)(a).

(e) Durability: This label shall meet DOT/EPA standards for durability (49 C.F.R. §567.4(b); 40 C.F.R. §86.087-35(c)(1)).

(f) Readability level: To the extent feasible, the label shall be written in plain, simple language so as to be readily comprehended by the average seventh grader, as measured by a standard technique for assessing the readability level of written materials.

(g) Location: The label (or labels) warning about improper tire pressure and overloading shall be affixed to the left rear fender above the axle, facing outward in such a position that it (they) can be read by the operator when mounting the vehicle.

b. Discretionary labels:

Arctic Cat may affix labels in addition to the mandatory labels described above as long as they satisfy the following criteria, to the extent applicable.

(1) Pictorial Labels Arctic Cat may use additional pictorial labels to inform, instruct, and/or warn of a situation, if Arctic Cat believes that such a pictorial label would enhance the safety of the product and not distract from the other labels, and if the same are approved by the CPSC.

(2) Additional Written Labels

(a) Content: Where a label describes a potential hazard which could result in a serious injury or death, it shall contain (1) the SAE safety alert symbol and the signal word "WARNING" in capital letters; (2) a concise, unambiguous narrative statement of the hazard being warned about; (3) a concise, unambiguous narrative description of the consequence if a hazard is encountered; and (4) a concise, unambiguous narrative description of what to do to avoid the hazard.

(b) Letter typeface and size: Where a label describes a potential hazard which could result in a serious injury or death, the letter typeface and size shall be the same as that stated in paragraph F.1.a.(4)(b).

(c) Format: Where a label describes a potential hazard which could result in a serious injury or death, the format shall be the same as that stated in paragraph F.1.a.(4)(c), except that the three narrative statements may be combined and do not have to be separated by a line of space.

(d) Color scheme: Where a label describes a potential hazard which could result in a serious injury or death, the color scheme shall be the same as that stated in paragraph F.1.a.(1)(a).

(e) Durability: Where a label describes a potential hazard which could result in a serious injury or death, the label shall meet DOT/EPA standards for durability (49 C.F.R. §567.4(b); 40 C.F.R. §86.087-35(c)(1)).

(f) Readability level: Where a label describes a potential hazard which could result in a serious injury or death, the label, to the extent feasible, shall be written in plain, simple language so as to be readily comprehended by the average seventh grader, as measured by a standard technique for assessing the readability level of written materials.

(g) Location: Discretionary labels shall be affixed to ATVs in an appropriate location so long as they do not detract from the mandatory labels described in paragraphs F.1.a.(1) through (4). They shall not be placed so close to any of the mandatory labels so as to compete for the operator's attention.

(h) Alternative locations: If requirements (a) through (g) of paragraph F.1.b.(2) effectively preclude placement of any discretionary label in the location which most clearly draws attention to the vehicle component or function to which the warning relates, these requirements shall not apply to such discretionary label; provided, however, that any discretionary label which describes a potential hazard which could result in a serious injury or death shall, at a minimum, bear the SAE safety alert symbol and the signal word "WARNING" on a single line which shall be separated from the text by a horizontal line, and shall conform to the color scheme set forth at paragraph F.1.a.(1)(a).

c. New Labels: Arctic Cat may develop new labels for new Arctic Cat ATV models, provided that Arctic Cat concludes in good faith that such new labels

meet the applicable requirements of this Action Plan and that the new labels provide the required safety information in as effective a manner as the labels agreed upon by the parties pursuant to paragraphs F.1.a.(1) through (4). Arctic Cat agrees to submit copies of such labels, and a written rationale for the labels, to the General Counsel of the CPSC at least 30 days before distributing Arctic Cat ATVs with new labels.

2. Arctic Cat Owner's/Operator's Manual

a. To Provide. Arctic Cat agrees to provide with every Arctic Cat ATV manufactured, distributed, or sold by it, an owner's manual (also called an operator's manual) that meets the requirements set forth herein.

b. General Requirements

(1) Each owner's manual prepared pursuant to this Action Plan shall be written and designed in a manner reasonably calculated to convey information regarding safe operation and maintenance of the vehicle.

(2) To the extent feasible, the manual shall be written in plain, simple language so as to be readily comprehended by the average seventh grader, as measured by a standard technique for assessing the readability of written materials.

(3) Information in the manual shall be presented in a meaningful sequence designed to permit readers to understand the information presented and appreciate its significance.

(4) Every owner's manual shall be consistent with other safety messages disseminated by Arctic Cat, including those contained in the warning labels, advertising and promotional materials, and point-of-purchase safety materials.

c. Front cover

(1) The following shall appear on the front cover: "Read this manual carefully. It contains important safety information."

(2) Also on the front cover shall be a statement stating the age recommendation for the applicable Arctic Cat ATV model.

(3) The front cover shall also include

"Do not remove this operator's manual from this vehicle, according to the guidelines and agreement with the U.S. Consumer Product Safety Commission".

d. Inside cover

The following shall appear on the inside cover:

"For your safety, understand and follow all the warnings contained in this Operator's Manual and the labels on your vehicle."

"Keep this Operator's Manual with your vehicle at all times."

"FAILURE TO FOLLOW THE WARNINGS CONTAINED IN THIS MANUAL CAN RESULT IN SERIOUS INJURY OR DEATH."

e. Introduction

(1) The following Safety Instructions shall be provided for

Arctic Cat ATVs:

AN ATV IS NOT A TOY AND CAN BE HAZARDOUS TO OPERATE. An ATV handles differently from other vehicles including motorcycles and cars. A collision or rollover can occur quickly, even during routine maneuvers such as turning and driving on hills or over obstacles, if you fail to take proper precautions.

SEVERE INJURY OR DEATH can result if you do not follow these instructions:

- Read this manual and all labels carefully and follow the operating procedures described.
- Never operate an ATV without proper instruction. Take a training course. Beginners should receive training from a certified instructor. Contact an authorized Arctic Cat ATV dealer or call the ATV Safety Institute at 1-800-887-2887 to find out about the training course nearest you.
- Never allow anyone under 18 years of age to operate your ATV.
- Never permit a guest to operate your ATV unless the guest has read this manual and all product labels, and has completed a certified training course.

- **Never operate an ATV on any paved surfaces, including sidewalks, driveways, parking lots, and streets.**
- **Never operate an ATV without wearing an approved helmet that fits properly. You should also wear eye protection (goggles or face shield), gloves, boots, long-sleeved shirt or jacket, and long pants.**
- **Never consume alcohol or drugs before or while operating an ATV.**
- **Never operate at excessive speeds. Always travel at a speed which is proper for the terrain, visibility and operating conditions, and your experience.**
- **Never attempt wheelies, jumps, or other stunts.**
- **Always inspect your ATV each time you use it to make sure it is in safe operating condition. Always follow the inspection and maintenance procedures and schedules described in this manual.**
- **Always keep both hands on the handlebars and both feet on the footrests of the ATV during operation.**
- **Always go slowly and be extra careful when operating on unfamiliar terrain. Always be alert to changing terrain conditions when operating the ATV.**
- **Never operate on excessively rough, slippery or loose terrain.**
- **Always follow proper procedures for turning as described in this manual. Practice turning at slow speeds before attempting to turn at faster speeds. Do not turn at excessive speed.**
- **Always have the ATV checked by an authorized Arctic Cat ATV dealer if it has been involved in an accident.**
- **Never operate the ATV on hills too steep for the ATV or for your abilities. Practice on smaller hills before attempting larger hills.**
- **Always follow proper procedures for climbing hills as described in this manual. Check the terrain carefully before you start up any hill. Never climb hills with slippery or loose surfaces. Shift your weight forward. Never open the throttle suddenly or make sudden gear changes. Never go over the top of any hill at high speed.**
- **Always follow proper procedures for going down hills and for braking on hills as described in this manual. Check the terrain carefully before you start down any hill. Shift your weight backward. Never go down a hill at high speed. Avoid going down a hill at an angle which would cause the vehicle to lean sharply to one side. Go straight down the hill where possible.**

- **Always follow proper procedures for crossing the side of a hill as described in this manual. Avoid hills with slippery or loose surfaces. Shift your weight to the uphill side of the ATV. Never attempt to turn the ATV around on any hill until you have mastered the turning techniques described in this manual on level ground. Avoid crossing the side of a steep hill if possible.**
- **Always use proper procedures if you stall or roll backward when climbing a hill. To avoid stalling, maintain a steady speed when climbing a hill. If you stall or roll backwards, follow the special procedure for braking described in this manual. Dismount on the uphill side or to either side if pointed straight uphill. Turn the ATV around and mount, following the procedure described in this manual.**
- **Always check for obstacles before operating in a new area. Never attempt to operate over large obstacles, such as large rocks or fallen trees. Always follow proper procedures when operating over obstacles as described in this manual.**
- **Always be careful of skidding or sliding. On slippery surfaces, such as ice, go slowly and be very cautious in order to reduce the chance of skidding or sliding out of control.**
- **Never operate an ATV in fast flowing water or in water deeper than the footrests. Remember that wet brakes may have reduced stopping ability. Test your brakes after leaving water. If necessary, apply them lightly several times to let friction dry out the pads.**
- **Always be sure there are no obstacles or people behind you when you operate in reverse. When it is safe to proceed in reverse, go slowly. Avoid turning at sharp angles in reverse.**
- **Always use the size and type tires specified in this manual. Always maintain proper tire pressure as described in this manual.**
- **Never improperly install or improperly use accessories on your ATV.**
- **Never install a twist grip throttle on this ATV.**
- **Never exceed the stated load capacity for an ATV. Cargo should be properly distributed and securely attached. Reduce speed and follow instructions in this manual for carrying cargo or pulling a trailer and allow greater distance for braking.**
- **No one under the age of 18 should operate this ATV. Some operators, even at the age of 18, may not be able to operate an ATV safely; parents should supervise such operator of the ATV at all times. Parents should permit continued use only if they determine that the operator has the ability to operate the ATV safely.**

FOR MORE INFORMATION ABOUT ATV SAFETY, call the Consumer Product Safety Commission at 1-800-638-2772, or the ASI Safety Hotline at 1-800-887-2887.

The Operator's Manual shall also contain the following:

- Never carry a passenger
- Never operate this ATV on any public street, road or highway, even a dirt or gravel one

(2) The following Operation Warnings should be

provided:



POTENTIAL HAZARD

Operating this ATV without proper instruction.

WHAT CAN HAPPEN

The risk of an accident is greatly increased if the operator does not know how to operate the ATV properly in different situations and on different types of terrain.

HOW TO AVOID THE HAZARD

Beginning and inexperienced operators should complete the certified training course offered. They should then regularly practice the skills learned in the course and the operating techniques described in this Operator's Manual. For more information about the training course, contact an authorized Arctic Cat® ATV dealer or call 1-800-887-2887.



POTENTIAL HAZARD

Allowing anyone under age 18 to operate this ATV.

WHAT CAN HAPPEN

Use of ATVs by children can lead to severe injury or death of the child.

Children under age 18 may not have the skills, abilities, or judgment needed to operate the ATV safely and may be involved in a serious accident.

HOW TO AVOID THE HAZARD

A child under 18 should never operate this ATV.



POTENTIAL HAZARD

Carrying a passenger on this ATV.

WHAT CAN HAPPEN

Greatly reduces your ability to balance and control this ATV.

Could cause an accident, resulting in injury or death to you and/or your passenger.

HOW TO AVOID THE HAZARD

Never carry a passenger. The long seat is to allow the operator to shift position as needed during operation. It is not for carrying passengers.



POTENTIAL HAZARD

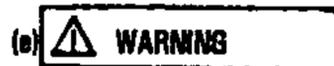
Operating this ATV on paved surfaces.

WHAT CAN HAPPEN

The ATV's tires are designed for off-road use only, not for use on pavement. Paved surfaces may seriously affect handling and control of the ATV, and may cause the vehicle to go out of control.

HOW TO AVOID THE HAZARD

Never operate the ATV on any paved surfaces, including sidewalks, driveways, parking lots and streets.



POTENTIAL HAZARD

Operating this ATV on public streets, roads, or highways.

WHAT CAN HAPPEN

You can collide with another vehicle.

HOW TO AVOID THE HAZARD

Never operate this ATV on any public street, road, or highway, even a dirt or gravel one. In many states it is illegal to operate ATVs on public streets, roads, or highways.



POTENTIAL HAZARD

Operating this ATV without wearing an approved motorcycle helmet, eye protection, and protective clothing.

WHAT CAN HAPPEN

Operating without an approved motorcycle helmet increases your chances of a severe head injury or death in the event of an accident. Operating without eye protection can result in an accident and increases your chances of a severe injury in the event of an accident. Operating without protective clothing increases your chances of severe injury in the event of an accident.

HOW TO AVOID THE HAZARD

Always wear an approved motorcycle helmet that fits properly. You should also wear: eye protection (goggles or face shield), gloves, boots, long-sleeved shirt or jacket, and long pants.



POTENTIAL HAZARD

Operating this ATV after or while consuming alcohol or drugs.

WHAT CAN HAPPEN

Could seriously affect your judgment.
Could cause you to react more slowly.
Could affect your balance and perception.
Could result in an accident.

HOW TO AVOID THE HAZARD

Never consume alcohol or drugs before or while driving this ATV.



POTENTIAL HAZARD

Operating this ATV at excessive speeds.

WHAT CAN HAPPEN

Increases your chances of losing control of the ATV, which can result in an accident.

HOW TO AVOID THE HAZARD

Always ride at a speed that is proper for the terrain, visibility and operating conditions, and your experience.



POTENTIAL HAZARD

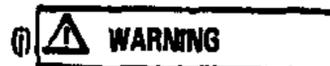
Attempting wheelies, jumps, and other stunts.

WHAT CAN HAPPEN

Increases the chance of an accident, including an overturn.

HOW TO AVOID THE HAZARD

Never attempt stunts, such as wheelies or jumps. Don't try to show off.



POTENTIAL HAZARD

Failure to inspect the ATV before operating.
Failure to properly maintain the ATV.

WHAT CAN HAPPEN

Increases the possibility of an accident or equipment damage.

HOW TO AVOID THE HAZARD

Always inspect your ATV each time you use it to make sure the ATV is in safe operating condition.
Always follow the inspection and maintenance procedures and schedules described in this Operator's Manual.



POTENTIAL HAZARD

Removing hands from handlebars or feet from footrests during operation.

WHAT CAN HAPPEN

Removing even one hand or foot can reduce your ability to control the ATV or could cause you to lose your balance and fall off the ATV. If you remove a foot from a footrest, your foot or leg may come into contact with the wheels, which could injure you or cause an accident.

HOW TO AVOID THE HAZARD

Always keep both hands on the handlebars and both feet on the footrests of your ATV during operation.



POTENTIAL HAZARD

Failure to use extra care when operating the ATV on unfamiliar terrain.

WHAT CAN HAPPEN

You can come upon hidden rocks, bumps, or holes without enough time to react.
Could result in the ATV overturning or going out of control.

HOW TO AVOID THE HAZARD

Go slowly and be extra careful when operating on unfamiliar terrain.
Always be alert to changing terrain conditions when operating the ATV.



POTENTIAL HAZARD

Failure to use extra care when operating on rough, slippery, or loose terrain.

WHAT CAN HAPPEN

Could cause loss of traction or vehicle control, which could result in an accident, including an overturn.

HOW TO AVOID THE HAZARD

Do not operate on rough, slippery, or loose terrain until you have learned and practiced the skills necessary to control the ATV on such terrain.
Always be especially cautious on these kinds of terrain.



POTENTIAL HAZARD

Turning improperly.

WHAT CAN HAPPEN

ATV could go out of control, causing a collision or overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for turning as described in this Operator's Manual.
Practice turning at slow speeds before attempting to turn at faster speeds.
Do not turn at excessive speeds.



POTENTIAL HAZARD

Operating on steep hills.

WHAT CAN HAPPEN

The vehicle can overturn more easily on steep hills than on level surfaces or small hills.

HOW TO AVOID THE HAZARD

Never operate the ATV on hills too steep for the ATV or for your abilities.
Practice on smaller hills before attempting larger hills.



POTENTIAL HAZARD

Climbing hills improperly.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for climbing hills as described in this Operator's Manual.
Always check the terrain carefully before you start up any hill.
Never climb hills with slippery or loose surfaces.
Shift your weight forward.
Never open the throttle suddenly or make sudden gear changes.
The ATV could flip over backwards.
Never go over the top of any hill at high speed. An obstacle, a sharp drop, or another vehicle or person could be on the other side of the hill.



POTENTIAL HAZARD

Going down a hill improperly.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for going down hills as described in this Operator's Manual.
Always check the terrain carefully before you start down any hill.
Shift your weight backward.
Never go down a hill at high speed.
Avoid going down a hill at an angle that would cause the vehicle to lean sharply to one side. Go straight down the hill where possible.



POTENTIAL HAZARD

Improperly crossing hills or turning on hills.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Never attempt to turn the ATV around on any hill until you have mastered the turning technique as described in this Operator's Manual. Practice first on level ground. Be very careful when turning on any hill.
Avoid crossing the side of a steep hill, if possible.

When crossing the side of a hill:

Always follow proper procedures as described in this Operator's Manual.
Avoid hills with slippery or loose surfaces.
Shift your weight to the uphill side of the ATV.



POTENTIAL HAZARD

Stalling, rolling backwards, or improperly dismounting while climbing a hill.

WHAT CAN HAPPEN

Could result in the ATV overturning.

HOW TO AVOID THE HAZARD

Use proper gear and maintain steady speed when climbing a hill.

If you lose all forward speed:

Keep weight uphill.
Apply the brakes.
Lock the parking brake after you are stopped.

If you begin rolling backwards:

Keep weight uphill.
Apply the brakes while rolling backwards.
When fully stopped, lock the parking brake.

Dismount on uphill side or to a side if pointed straight uphill.

Turn the ATV around and mount, following the procedure described in this Operator's Manual.



POTENTIAL HAZARD

Improperly operating over obstacles.

WHAT CAN HAPPEN

Could cause loss of control or a collision. Could cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Before operating in a new area, check for obstacles. Never attempt to ride over large obstacles, such as large rocks or fallen trees.
When you go over obstacles, always follow proper procedures as described in this Operator's Manual.



POTENTIAL HAZARD

Skidding or sliding.

WHAT CAN HAPPEN

You may lose control of the ATV.
You may also regain traction unexpectedly, which may cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Learn to safely control skidding or sliding by practicing at slow speeds and on level, smooth terrain.
On extremely slippery surfaces, such as ice, go slowly and be very cautious in order to reduce the chance of skidding or sliding out of control.



POTENTIAL HAZARD

Operating the ATV through deep or fast flowing water.

WHAT CAN HAPPEN

Tires may float, causing loss of traction and loss of control, which could lead to an accident.

HOW TO AVOID THE HAZARD

Never operate the ATV in fast flowing water or in water deeper than the footrests.
Remember that wet brakes may have reduced stopping ability. Test your brakes after leaving water. If necessary, apply them several times to dry out the pads.



POTENTIAL HAZARD

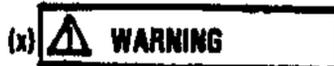
Improperly operating in reverse.

WHAT CAN HAPPEN

You could hit an obstacle or person behind you, resulting in serious injury.

HOW TO AVOID THE HAZARD

Before you engage reverse gear, make sure there are no obstacles or people behind you. When it is safe to proceed, go slowly.



POTENTIAL HAZARD

Operating the ATV with improper tires, or with improper or uneven tire pressure.

WHAT CAN HAPPEN

Use of improper tires on the ATV, or operation of the ATV with improper or uneven tire pressure, may cause loss of control, increasing your risk of an accident.

HOW TO AVOID THE HAZARD

Always use the size and type tires specified in this Operator's Manual for this vehicle.

Always maintain proper tire pressure as described in this Operator's Manual.



POTENTIAL HAZARD

Operating the ATV with improper modifications.

WHAT CAN HAPPEN

Improper installation of accessories or modification of the vehicle may cause changes in handling which, in some situations, could lead to an accident.

HOW TO AVOID THE HAZARD

Never modify the ATV through improper installation or improper use of accessories. All parts and accessories added to this vehicle should be genuine Arctic Cat® ATV components designed for use on the ATV and should be installed and used according to instructions. Never install a twist grip throttle. If you have questions, consult an authorized Arctic Cat® ATV dealer.



POTENTIAL HAZARD

Overloading the ATV or carrying or towing cargo improperly.

WHAT CAN HAPPEN

Could cause changes in vehicle handling, which could lead to an accident.

HOW TO AVOID THE HAZARD

Never exceed the stated load capacity for the ATV.

Cargo should be properly distributed and securely attached.

Reduce speed when carrying cargo or pulling a trailer. Allow greater distance for braking.

Always follow the instructions in this Operator's Manual for carrying cargo or pulling a trailer.

f. ANSI Definition: Definitions for "Warning" and "Caution" which are consistent with, or in any event not weaker than, the definitions for those terms contained in the current standards proposed by the American National Standards Institute (ANSI), are to be used, along with an introductory statement alerting the reader to the significance of the SAE safety alert symbol and the signal words. If Arctic Cat uses a definition which is stronger than that contained in the current standards proposed by ANSI, the statements described at (g) and (h) shall be consistent with the stronger definition.

g. Warning Symbol: The following reminder shall be repeated immediately preceding the table of contents, at the beginning and end of the section describing proper operating procedures, on the last page before the outside back cover (or on the inside back cover), and a total of at least 5 more times, appropriately spaced, within sections containing warnings:



Indicates a potential hazard that could result in serious injury or death.

The reminder shall be prominently displayed, segregated from other text on the page, in typeface at least .10 inches, with the signal word in typeface at least .15 inches.

h. Safety Message: An introductory safety message is to be included, and may appear on different pages, emphasizing the importance of reading and understanding the manual prior to operation, the importance of and availability of the training course described at paragraph J., and the importance of the age recommendation for the particular model. This introductory message shall contain, at a minimum, the following statement:

"Failure to follow the warnings contained in this manual can result in SERIOUS INJURY or DEATH."

i. Table of Contents: An appropriate table of contents identifying the major portions of the manual.

j. Location of Labels: Descriptions of the location of warning labels on the ATV and an introductory statement emphasizing the importance of understanding and following the labels, and the importance of keeping the labels on the ATV. The introductory statement shall also contain instructions on how to obtain a replacement label in the event any label becomes difficult to read or comes off.

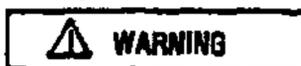
k. Pre-operating Statement: A description of pre-operating inspection procedures and a statement emphasizing the importance of these procedures.

l. Hazard/Warning: A description of potential hazards associated with improper operation of the vehicle and how to avoid the hazard, as set forth in F.2.e.(2).

m. Operating Procedures/Active Riding: A description of proper operating procedures (Active Riding), describing the manner in which the vehicle should be properly operated.

n. Maintenance: Descriptions of proper maintenance, storage, and transportation procedures.

o. Back Cover Warning: The contents of the general warning label shall be set forth on the outside back cover:



THIS VEHICLE CAN BE HAZARDOUS TO OPERATE.

A collision or rollover can occur quickly, even during routine maneuvers such as turning and driving on hills or over obstacles, if you fail to take proper precautions.

SEVERE INJURY OR DEATH can result if you do not follow these instructions:

- **BEFORE YOU OPERATE THIS ATV, READ THE OPERATOR'S MANUAL AND ALL LABELS.**
- **NEVER OPERATE THIS ATV WITHOUT PROPER INSTRUCTION.** Beginners should complete a certified training course.
- **NEVER CARRY A PASSENGER.** You increase your risk of losing control if you carry a passenger.
- **NEVER OPERATE THIS ATV ON PAVED SURFACES.** You increase your risk of losing control if you operate this ATV on pavement.
- **NEVER OPERATE THIS ATV ON PUBLIC ROADS.** You can collide with another vehicle if you operate the ATV on a public road.

- **ALWAYS WEAR AN APPROVED MOTORCYCLE HELMET, eye protection and protective clothing.**
- **NEVER CONSUME ALCOHOL OR DRUGS before or while operating this ATV.**
- **NEVER OPERATE THIS ATV AT EXCESSIVE SPEEDS. You increase your risk of losing control if you operate this ATV at speeds too fast for the terrain, visibility conditions, or your experience.**
- **NEVER ATTEMPT WHEELIES, JUMPS, OR OTHER STUNTS.**

p. Guidelines. Every owner's manual for Arctic Cat ATVs shall conform to the Guidelines for Warning and Caution Statements in Owner's Manual attached as Appendix F.

q. CPSC review of owner's manuals:

(1) Arctic Cat agrees to submit to the General Counsel of the CPSC a draft (including sketches of illustrations if feasible) of a representative owner's manual for the Arctic Cat models it expects to manufacture. Each draft shall conform to the provisions of this Action Plan.

(2) The CPSC shall evaluate each draft and provide to Arctic Cat its written evaluation of whether the draft conforms to the requirements of this Action Plan. If the CPSC determines that the draft does not conform to the requirements, it shall within thirty days include specific language that it proposes be substituted for or included in any particular, identified portion of the submitted draft, with an explanation of the reasons for the proposed substitution or addition. It is noted that as of November 27, 1995 the CPSC has reviewed and approved Arctic Cat's submitted Operators Manual.

(3) After distribution of owner's manuals that conform to the requirements of this Action Plan, Arctic Cat may develop owner's manuals for subsequent new ATV models, provided that Arctic Cat concludes in good faith that such manuals conform to the requirements of this Action Plan. In the event that safety-related information or materials in such manuals are different from the previous manuals that conformed with the requirements of this Action Plan, Arctic Cat agrees to submit copies of all such manuals and a written rationale

for all changes to the General Counsel for the Consumer Product Safety Commission at least 30 days before distributing the manuals.

3. Point-Of-Purchase Communications

a. Point-of-purchase oral communications

(1) **Dealer oversight:** Arctic Cat shall use its best efforts to ensure that oral communications to retail dealers, agents or representatives who sell Arctic Cat ATVs to actual and prospective purchasers contain information not inconsistent with all safety-related requirements of this Action Plan.

(2) **Dealer guidance:** Arctic Cat agrees to emphasize safety information consistent with this Action Plan in written, oral, and video materials that relate to promotion and sale of Arctic Cat ATVs by dealers, agents or representatives of Arctic Cat.

b. Point-of-purchase safety materials

(1) **Definition:** For the purposes of this Action Plan, "point-of-purchase safety materials" shall mean materials specifically designed to describe proper Arctic Cat ATV operation that are disseminated by Arctic Cat, or through its retail dealers, agents and representatives, at Arctic Cat ATV sales locations.

(2) **Conformance:** All point-of-purchase safety materials which are produced, distributed or funded in whole or in part by Arctic Cat for Arctic Cat ATVs -- including all materials funded in whole or in part by Arctic Cat cooperatively with its dealers, agents or representatives selling Arctic Cat ATVs -- shall conform to the Guidelines For Point-Of-Purchase Safety Materials attached as Appendix D. Arctic Cat further agrees to use its best efforts to ensure that all point-of-purchase safety materials not distributed by Arctic Cat but distributed by its dealers, agents or representatives selling Arctic Cat ATVs conform to the Guidelines For Point-Of-Purchase Safety Materials attached as Appendix D.

(3) **Best Efforts:** Arctic Cat shall use its best efforts to ensure that its retail dealers, agents or representatives who sell Arctic Cat ATVs, or display Arctic Cat ATVs for sale, make available to actual and prospective Arctic

Cat ATV purchasers point-of-purchase safety materials of the type described in paragraph F.3.b.(4) below.

(4) Mandatory point-of-purchase safety materials

(a) Hang tags: Arctic Cat shall provide to its dealers, agents, or representatives who sell Arctic Cat ATVs hang tags for display on each vehicle offered for sale that conform to paragraph II.A and II.B of the Guidelines For Point-Of-Purchase Safety Materials attached as Appendix D.

(b) Safety video: Arctic Cat shall provide to its dealers, agents, or representatives who sell Arctic Cat ATVs, a safety video that conforms to paragraphs II.A and II.C of the Guidelines For Point-Of-Purchase Safety Materials attached as Exhibit D. Arctic Cat agrees to use its best efforts to require its retail dealers to make the safety video readily available for viewing by all actual and prospective Arctic Cat ATV purchasers.

(c) Safety poster: Arctic Cat shall provide to its retail dealers, or, where Arctic Cat ATVs are sold to consumers by agents or representatives of Arctic Cat who are not retail dealers, to all such agents or representatives, signs measuring approximately four feet by four feet containing the text which is set forth in Appendix G and meeting with the approval of the CPSC. The death statistic shall be updated prior to publication to reflect the CPSC's most current quarterly report data at that time, as provided by the CPSC. Thereafter, the death statistic will be updated every 12 months to indicate the total number of ATV-associated fatalities for the preceding five years, based on data provided by the CPSC. Arctic Cat agrees to use high quality, durable printing materials and to use the color scheme, lettering (size and type) and spacing to best ensure that the message is easily read and understood. Arctic Cat further agrees to use its efforts to ensure that its retail dealers, agents, or representatives who sell Arctic Cat ATVs to consumers, immediately post the safety posters upon receipt in prominent places where Arctic Cat ATVs are displayed, sold or offered for sale; update the posters as instructed; and keep such posters on display until further notified pursuant to this provision.

(d) ATV safety alert: Arctic Cat shall provide to dealers, agents, or representatives who sell Arctic Cat ATVs, for dissemination to all purchasers, the ATV Safety Alert in the form attached as Appendix G. The death statistic shall reflect the CPSC's latest quarterly report data as of the date of this Action Plan, as provided by the CPSC, and shall thereafter be updated every 12 months to indicate the total number of ATV-associated fatalities for the preceding five years. Arctic Cat shall use its best efforts to ensure that such dealers, agents or representatives deliver a copy of the ATV Safety Alert to each purchaser. Such dealers, agents, or representatives may continue to disseminate prior versions of the ATV Safety Alert until their supplies are exhausted.

(5) Submission of hang tags, safety video and other point-of-purchase safety materials to the CPSC

(a) Arctic Cat agrees to submit to the General Counsel of the CPSC copies of the hang tags required by paragraph F.3.b.(4)(a) and a copy of the final safety video at least ten days before they disseminate those materials to their dealers.

(i) After distribution of hang tags that conform to the Guidelines For Point-Of-Purchase Safety Materials, Arctic Cat may develop hang tags for new Arctic Cat ATV models, provided that Arctic Cat concludes in good faith that such hang tags conform to the Guidelines. In the event that the information on a hang tag is different in substance from the information specified in the Guidelines, Arctic Cat agrees to submit copies of all such hang tags and a written rationale for all changes to the General Counsel of the CPSC at least 10 days before distributing the hang tags.

(ii) After distribution of a safety video that conforms to the Guidelines For Point-Of-Purchase Safety Materials, Arctic Cat may develop a new safety video by complying with the procedures set forth at paragraph F.3.b.(4)(b).

(b) At approximately the same time as distribution of any other point-of-purchase safety materials for dissemination by its retail dealers,

agents or representatives who sell Arctic Cat ATVs, Arctic Cat shall provide a copy to the General Counsel of the CPSC.

(6) Specific Concerns: Nothing herein shall preclude Arctic Cat from disseminating materials which address model-specific or use-specific safety concerns, provided that such materials are not inconsistent with paragraph II.A. of the Guidelines For Point-Of-Purchase Safety Materials attached as Appendix D.

G. TOLL FREE SAFETY HOTLINE

1. Arctic Cat agrees to maintain a toll-free ATV "hotline" service to respond to consumer inquiries.

2. Information provided by this service shall be consistent with all other safety-related messages disseminated by Arctic Cat, including those contained in warning labels, owner's manuals, advertising and promotional materials, and the ATV Safety Alert.

3. The hotline service shall, at a minimum, provide information, as appropriate, in response to consumer inquiries regarding the following:

- a. CPSC fatality and injury statistics concerning accidents associated with ATV operation (updated every 12 months to indicate the total number of ATV-associated fatalities for the preceding five years, based upon data provided by the CPSC);
- b. age recommendations for Arctic Cat ATVs;
- c. the importance and availability of the hands-on training course, and information about the training course;
- d. potential risks and potential hazards associated with:
 - 1) operating without carefully reading the owner's manual;
 - 2) carrying a passenger or riding as a passenger;
 - 3) operating on paved surfaces;
 - 4) operating on public roads because of the risk of collision with other motorized vehicles (ATVs are for off-road use only);

- 5) operating after or while consuming alcohol or drugs;
- 6) operating without an approved motorcycle helmet, eye protection, and protective clothing;
- 7) performing wheelies and other stunts;
- 8) lending an ATV to inexperienced or unskilled operators;
- 9) operating at excessive speeds;
- 10) operating on unfamiliar, or excessively rough, slippery, or loose terrain;
- 11) operating on steep hills.

4. Arctic Cat further agrees that the hotline service shall offer to send, free of charge, to every person who calls copies of the appropriate materials regarding ATV safety developed pursuant to this Action Plan, such as a copy of the ATV Safety Alert.

5. Arctic Cat agrees to include the hotline service number and/or the ATV Safety Institute number and/or the number of the CPSC in certain Arctic Cat ATV safety related communications in accordance with the other provisions of this Action Plan.

H. SAFETY-RELATED COMMUNICATIONS TO CONSUMER

No safety-related communication generally distributed by Arctic Cat to consumers shall be inconsistent with the terms of this Action Plan.

I. MEDIA AND MARKETING

1. Guidelines For Promotional Advertisements

All advertisements used or distributed by Arctic Cat for Arctic Cat ATVs shall conform to the Guidelines for Advertising and Promotional Materials attached as

Appendix E. These Guidelines shall apply to:

a. All advertisements in newspapers whose closing date for materials is 14 days or more after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC;

b. All advertisements in magazines whose closing date for materials falls on or after 45 days after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC;

c. All television, radio and cable commercials scheduled in network, in a spot market, or in programming distributed through syndication 14 days or more after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC;

d. All printed point-of-purchase promotional materials first distributed to dealers, agents or other representatives who sell Arctic Cat ATVs, after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC;

e. All promotional videos distributed to dealers after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC; and

f. All other promotional materials (including posters and direct mail) used by Arctic Cat or distributed to dealers after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC.

2. Cooperative Advertising

All advertisements funded in whole or part by Arctic Cat through any cooperative advertising program with its dealers, agents or other representatives selling Arctic Cat ATVs shall conform to the guidelines within 90 days after the date of this Action Plan.

3. Conformance

Arctic Cat shall use its best efforts to ensure that any other advertisements or other promotional materials used or distributed by its dealers conform to these

Guidelines.

4. Reporting Requirements

a. **Promotional advertisements:** For each promotional advertisement distributed to a dealer or used after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC Arctic Cat shall submit the following within 14 days of Arctic Cat's first post-signing use or distribution:

(1) in the case of a printed advertisement, a copy of the advertisement as it will be published;

(2) in the case of a radio advertisement, a tape or script of the commercial;

(3) in the case of a television advertisement or a promotional video, a videotape of the advertisement.

J. TRAINING

Arctic Cat has made application to, and has been accepted as a member of, the national non-profit trade association Specialty Vehicle Institute of America (SVIA). Arctic Cat agrees that SVIA will administer, promote, and implement the ATV rider training program with regard to Arctic Cat ATVs in substantially the same manner that the training program is administered, promoted, and implemented with regard to ATVs produced by the founding members of SVIA, U.S. Distributors for Honda, Yamaha, Suzuki, and Kawasaki ATVs. Arctic Cat will instruct its dealers to encourage ATV purchasers to enroll in the training course. Dealers will be required to give each purchaser a copy of an ATV Rider Training Certificate which entitles the purchaser and all eligible members of the purchaser's immediate family to take free training. The dealer will complete the Training Certificate for those purchasers (and/or family members) who agree to enroll in the training course. The dealer will send the completed Training Certificate to SVIA by electronic facsimile, or by mail, within 24 hours of the purchase of the Arctic Cat ATV. Telephone calls will be placed from SVIA's national enrollment center to every purchaser to advise them of the availability of a training course in their area. Training will be conducted

according to a curriculum approved by the CPSC and delivered by Instructors certified and employed by the SVIA.

Arctic Cat agrees to use its best efforts to ensure that SVIA will provide a sufficient number of training sites that are reasonably accessible to Arctic Cat ATV purchasers desiring to take the training course. Arctic Cat further agrees that SVIA will provide adequate liability insurance for the training course at no charge to the participant.

1. Future modifications to course curriculum

Arctic Cat and the other distributor/manufacturer members of SVIA may modify the course curriculum, upon the considered judgment of appropriate personnel so long as Arctic Cat, the other distributor/manufacturer members of SVIA and the CPSC agree that the revisions are at least as effective as the curriculum agreed upon in this Action Plan. Arctic Cat shall notify the CPSC of any additions or deletions to the curriculum and provide a detailed explanation. The CPSC shall provide its comments within 30 days and the parties shall use good faith efforts to arrive at a suitable resolution of any problems identified through the field testing process. The CPSC death and injury statistics to be included in the curriculum shall be updated every 12 months to indicate the total number of ATV-associated fatalities for the preceding five years, based upon data provided by the CPSC.

2. Fees for Training Course

Training courses shall be offered at no charge to purchasers and members of their immediate families who purchase a new Arctic Cat ATV and who meet the age recommendations contained in this Action Plan.

a. Notification procedures: Arctic Cat shall provide notice to all Arctic Cat ATV purchasers of the availability of free training and the incentive offer required by paragraph J.3. of this Action Plan.

b. Training of others: Arctic Cat agrees to provide training to all other interested persons and may charge such other persons who request training a

reasonable fee.

3. Incentives

a. Arctic Cat agrees to provide a mechanism whereby each person who purchases a new Arctic Cat ATV, upon successful completion of the training course by the purchaser or a member of the purchaser's immediate family, will receive Fifty Dollars (\$50.00) in cash.

b. Upon completion of the training course, the purchaser must provide the appropriate documentation in order to receive the cash incentive.

c. The incentive offer shall be limited to one incentive per purchase of a new Arctic Cat ATV.

4. Coordination With State Laws

The parties agree that Arctic Cat's obligations under this section of the Action Plan may be modified in light of existing or future state laws pertaining to the training of ATV operators as follows:

a. To the extent that any requirement of this training section is contrary to state law, Arctic Cat may modify the training program within that state so as to be in accordance with state law. Arctic Cat shall immediately notify the General Counsel of the CPSC if Arctic Cat concludes in good faith that any provision of this training program is contrary to any law of any state.

b. To the extent that state law requires the completion of a training course substantially similar in content to the course described in this Action Plan, Arctic Cat may request the approval of the General Counsel of the CPSC to be relieved of any obligation to offer the incentive program described in paragraph J.3 in that state and to modify other aspects of the program as appropriate.

c. To the extent that a state provides or requires any other form of ATV training course, Arctic Cat may request the approval of the General Counsel of the CPSC to modify their current training obligations within that state.

d. The CPSC agrees to consider in good faith all such requests made pursuant to this section and to respond within 30 days to such requests.

5. Reporting Requirements

a. Arctic Cat agrees that, within one month after the date this Action Plan has been signed by both representatives for Arctic Cat and the CPSC, Arctic Cat and/or SVIA will provide the CPSC with copies of all training materials which will be used in the training course, including instructor guides, visual aids, and student handouts.

b. Arctic Cat further agrees to report the information listed below to the Commission on a quarterly basis commencing with the third quarter of 1996. Arctic Cat agrees to furnish such information on a state-by-state basis. Reports shall be submitted to the CPSC within 30 days following the end of each quarter. The information shall consist of:

(1) the number of new Arctic Cat ATVs sold;

(2) the number of new Arctic Cat ATVs sold to first time purchasers without riding experience and the percentage of those purchasers (or members of their immediate families) who take the training course outlined in this Action Plan;

(3) the number of instructors trained and certified to teach the training course outlined in this Action Plan;

(4) the number of such instructors who are actively training Arctic Cat ATV riders;

(5) the number of training classes held and the number of persons trained; and

(6) the number and dollar value of incentives provided to Arctic Cat ATV purchasers.

c. Arctic Cat further agrees to provide the CPSC, upon reasonable notice, access to relevant Arctic Cat ATV training records in order for the Commission to verify that training is being conducted in accordance with this Action Plan. Upon request by the CPSC, the national headquarters will provide the name, address, and telephone number of the Region Manager in any location or

locations specified by the CPSC for purposes of obtaining information about the time and location of training classes held in that area.

K. STANDARDS

Arctic Cat agrees to manufacture ATV's in compliance with the ANSI/SVIA 1-1990 standard.

L. STATE LEGISLATIVE INITIATIVES

Certain state legislatures may consider new proposals for the licensing and certification of ATV operators. In entering into this Action Plan, Arctic Cat and the CPSC agree to promote such state legislation to the extent that it provides for age limits for ATV operators consistent with the age recommendations specified by the CPSC for ATV operators or for the requirement of hands-on training before a certificate or license is issued.

M. MISCELLANEOUS PROVISIONS

1. Confidentiality of Materials

Any reports or other materials required to be submitted to the CPSC pursuant to this Action Plan shall be submitted to the General Counsel. Such reports or other materials claimed by Arctic Cat to be confidential, are not to be made available to competitors and the public, in accordance with Section 6(a) of the Consumer Product Safety Act, 15 U.S.C. § 2055(a), 18 U.S.C. § 1905, and 5 U.S.C. § 552(c)(4). If, however, the Commission determines that a report or document required to be submitted pursuant to this Action Plan may be disclosed because it does not constitute confidential information, the Commission will notify Arctic Cat of such determination in accordance with 15 U.S.C. § 2055(a)(5) and Arctic Cat may seek a ruling by an appropriate court (in accordance with 15 U.S.C. § 2055 (a)(6)) that such report or document may not be disclosed.

2. Public Notice Concerning the Action Plan

Notwithstanding Section 6(b) of the CPSA, 15 U.S.C. § 2055(b), Arctic Cat agrees that the Commission may publish notice to the public concerning approval of

the Action Plan, and may make copies of the Action Plan, as approved, available to members of the public.

3. Withdrawal From The ATV Market

If Arctic Cat withdraws from the ATV market, Arctic Cat shall be released from the provisions and requirements of this Action Plan six months after Arctic Cat has withdrawn all unsold Arctic Cat ATVs from the market and Arctic Cat's dealers, agents, or representatives have ceased all sales of new Arctic Cat ATVs from Arctic Cat. If, following a withdrawal from the market, Arctic Cat commences the sale or distribution of new Arctic Cat ATVs during the term of this Action Plan, Arctic Cat shall again become immediately bound by the provisions of this Action Plan.

Appendix A

[General Warning Label]

▲ WARNING

THIS VEHICLE CAN BE HAZARDOUS TO OPERATE. A collision or rollover can occur quickly, even during routine maneuvers such as turning and driving on hills or over obstacles, if you fail to take proper precautions.

SEVERE INJURY OR DEATH can result if you do not follow these instructions:

- **BEFORE YOU OPERATE THIS ATV, READ THE OWNER'S MANUAL AND ALL LABELS.**
- **NEVER OPERATE THIS ATV WITHOUT PROPER INSTRUCTION.** Beginners should complete a certified training course.
- **NEVER CARRY A PASSENGER.** You increase your risk of losing control if you carry a passenger.
- **NEVER OPERATE THIS ATV ON PAVED SURFACES.** You increase your risk of losing control if you operate this ATV on pavement.
- **NEVER OPERATE THIS ATV ON PUBLIC ROADS.** You can collide with another vehicle if you operate this ATV on a public road.
- **ALWAYS WEAR AN APPROVED MOTORCYCLE HELMET, eye protection, and protective clothing.**
- **NEVER CONSUME ALCOHOL OR DRUGS** before or while operating this ATV.
- **NEVER OPERATE THIS ATV AT EXCESSIVE SPEEDS.** You increase your risk of losing control if you operate this ATV at speeds too fast for the terrain, visibility conditions, or your experience.
- **NEVER ATTEMPT WHEELIES, JUMPS, OR OTHER STUNTS.**

Appendix C

[Passenger Warning Label]

▲ WARNING

Riding as a passenger can cause the ATV to go out of control.

Loss of control can cause a collision or rollover, which can result in severe injury or death.

NEVER ride as a passenger.

APPENDIX D

GUIDELINES FOR POINT-OF-PURCHASE SAFETY MATERIALS

I. SCOPE

These guidelines shall apply to all point-of-purchase safety materials as defined in paragraph F.3.b.(1) of this Action Plan for Arctic Cat ATVs, including, but not limited to, all printed materials (such as hang tags, posters, brochures, and retail display items) and all communications via the electronic media (such as videos).

II. GUIDELINES

A. General Provisions

1. Point-of-purchase safety materials shall not be inconsistent with other safety-related messages disseminated by Arctic Cat, including those contained in warning labels, owners' manuals, advertising and promotional materials, and the ATV Safety Alert.

2. Point-of-purchase safety materials that describe operating or practice techniques shall not be inconsistent with the curriculum of the training program described at paragraph J. of this Action Plan.

3. Point-of-purchase safety materials shall represent affirmatively the age recommendations applicable to any ATV model depicted or specifically referred to, or that is part of a class or group of ATV models referred to, in the materials.

4. Subject to the following exceptions, point-of-purchase safety materials shall be consistent with the Visual and Copy Guidelines for Advertising and Promotional Materials at Section II of Appendix E.

a. Notwithstanding Section II.A.1. and 2., point-of-purchase safety materials may portray a use or activity that requires substantial experience or advanced skills, so long as, in conjunction with any such description or depiction, such materials state that the use or activity requires substantial experience or advanced skills.

b. Notwithstanding Section II.A.1. and 2, point-of-purchase safety materials may describe inappropriate behavior, so long as, in conjunction with any such description or depiction, such materials (i) state that inappropriate behavior is being depicted; and (ii) describe or depict the appropriate behavior.

5. To the extent feasible, point-of-purchase safety materials shall be written or stated in plain, simple language so as to be readily comprehended by the average seventh grader, as measured by a standard technique for assessing the readability of written materials.

6. When discussed in any point-of-purchase safety materials, other than hang tags, the ATV Safety Alert, and the safety poster, certain messages from the general warning label described in Appendix A of this Action Plan shall be further explained as set forth below and in the following order:

a. The importance of carefully reading the owner's manual and all labels before operating, and the importance of heeding all warnings and instructions contained in those materials.

b. Proper instruction and practice are important because ATVs handle differently from other vehicles such as motorcycles and cars.

c. Information about the availability of the training course described in paragraph J. of this Action Plan, including information about who is eligible to take the course at no additional charge and information about the incentive offered.

B. Hang Tags: Hang tags shall conform to the following criteria:

1. Size: Every hang tag shall be at least 4x6 inches.

2. Content: At a minimum, every hang tag shall contain the

following:

a. The contents of the general warning label described in Appendix A of this Action Plan.

b. The statement **"This hang tag is not to be removed before sale."**

c. The statement **"Check with your dealer to find out about state or local laws regarding ATV operation"**.

d. The hang tag for every adult-sized ATV intended for operators 18 years and older who have advanced skills and substantial experience shall contain a statement to that effect.

e. The hang tag for every adult-sized ATV intended for sport or competition shall contain a statement to that effect.

3. **Attachment**: Every hang tag shall be attached to the ATV in such a manner as to be conspicuous and removable only with deliberate effort.

C. **Safety Video**: The safety video shall conform to the following criteria:

1. **General Design**: The safety video shall be designed to communicate to an audience consisting of prospective ATV purchasers, users and their parents.

2. **Title**: The title shall indicate that the video provides safety information concerning ATV operation.

3. **Content**: The safety video shall communicate the following:
a. The contents of the general hazard warning label described in Appendix A of this Action Plan with the messages further explaining the label as set forth at paragraph II.A.6. of these Guidelines.

b. The concept that a person operating an ATV should know his or her limitations and not attempt to perform any maneuver or traverse any terrain if performing the maneuver or operating on the terrain is beyond that person's capabilities and experience;

c. The importance of practicing and gradually progressing from basic to more complex maneuvers;

d. The importance of keeping alert at all times, and the concept that even a brief distraction can lead to loss of control resulting in a fatal or severe accident.

4. Dramatizations: All dramatizations designed to communicate any of the concepts set forth in the preceding subparagraph shall be unambiguous. To avoid ambiguity and ensure clarity, dramatizations shall:

a. In the case of dramatizations that show an accident occurring, averted or about to occur, the video shall contain no intervening events that detract from communication of the hazard (for example, the presence of an obstacle on a paved surface when communicating the hazard of operating on a paved surface, or a person running in front of an ATV when communicating the hazard of carrying passengers);

b. In the case of dramatizations that show either the conduct, terrain or maneuvers that a person should avoid, or the conduct that a person should observe, the video shall also unequivocally state the relevant safety message, either verbally by means of lines spoken by a screen character or narrator, in written form, or both.

APPENDIX E

GUIDELINES FOR ADVERTISING AND PROMOTIONAL MATERIALS

I. SCOPE

These guidelines shall apply to all promotional communications to consumers to promote the sale of all-terrain vehicles ("ATVs"), including promotion in electronic media (e.g., television, video and radio) and in print (e.g., magazines, newspaper, posters, brochures, billboards and mail).

II. VISUAL AND COPY GUIDELINES

The visual presentation and written and spoken content of all advertising shall conform to the following guidelines:

A. General provisions

1. Advertisements shall not appear in magazines designated by Standard Rate and Data Service, Inc. as youth, children's or comics and comic techniques magazines or within or adjacent to (i.e. immediately preceding or following) any television program whose audience is projected to be composed of one third or more of children less than 18 years old.
2. Advertisements shall not portray a use or activity that requires substantial experience or advanced skills, except as provided in paragraphs II.G.4 and 5.
3. Advertisements shall not represent, directly or by implication, that a use of an ATV which is not possible is in fact possible.
4. Advertisements shall be consistent with all safety messages, including those in warning labels, hanging tags, and owners' manuals, and the ATV Safety Alert.

- B. **Stability:** Advertisements shall not state, directly or by implication, that ATVs are stable or steady in all or almost all operational modes or on all or almost all surfaces. This shall not prohibit comparative statements that, based on actual tests or documentation, specific mechanical features make an ATV model demonstrably more stable in operation than other ATV models. This also shall not prohibit accurate statements concerning traction on specific types of terrain.

C. Necessary skills/training

- 1. Advertisements shall not state, directly or by implication, that ATVs are easy or simple to ride or maneuver or that ATVs can be operated without proper training. This specifically prohibits stating, directly or by implication, that an ATV is a toy. This shall not prohibit statements that specific controls are themselves easy to operate or that specific features are designed for improved operation. For example, statements that "an electric starter makes the vehicle easy to start" are permissible, while statements that the vehicle is easy to ride, or that a novice can simply get on the vehicle and operate it without proper instruction are prohibited.**
- 2. Advertisements shall not depict the operation of ATVs in a manner that is inconsistent with the recommendation for training. For example, if an advertisement depicts an operator being introduced to the controls, the driver shall be depicted on flat terrain free of obstacles and shall not be shown doing turns, except gradual turns.**

D. Terrain:

- 1. Advertisements shall not state, directly or by implication, that ATVs are able to go anywhere or that they have an unlimited or almost unlimited ability to operate on different kinds of terrain. This does not require that any names used to refer to ATVs be changed.**
- 2. Difficult terrain**
 - a. Advertisements shall not state, directly or by implication, that an operator may safely negotiate difficult terrain, such as steep hills or hills with bumpy or slippery surfaces, without substantial experience or advanced skills.**
 - b. Advertisements shall not depict operators traversing slopes other than gradual slopes, or negotiating steep hills, hills with large bumps or ruts, or with slippery surfaces where the vehicle's traction may be impaired, or other difficult terrain.**

3. Off-road use:

- a. **Advertisements shall not state, directly or by implication, that it is safe or appropriate to operate an ATV on pavement, roads, streets, or highways.**
 - b. **Depictions of ATV use shall be limited to trails and other proper riding areas. Advertisements shall not show ATV use on pavement, roads, streets, highways or any area that appears to be paved or to be a public road, street or highway.**
- 4. Advertisements shall not depict an ATV driving through water deeper than the recommended limits for that model and may only depict an ATV crossing water at a slow speed.**

E. Age Recommendations:

1. **Except for advertisements described in paragraphs III.A.1. and III.A.2.b. and c., advertisements must state the age recommendations applicable to any ATV model that the advertisement depicts or refers to specifically, or that is part of a class or group of ATV models referred to in the advertisement.**

Arctic Cat ATVs may be used only by those aged 18 and older.

2. **Advertisements shall not state, directly or by implication, that persons who do not meet the applicable age recommendations may or should operate an ATV. For example, this prohibits assertions that ATVs are appropriate for use by everyone, by everyone in the family, or by persons of all ages.**

F. Use of children in advertisements:

All operators and potential operators in all advertisements must be and appear to be at least 18 years old.

G. Speed/Racing:

- 1. Except as provided in paragraph II.G.4. and 5., advertisements shall not state, directly or by implication, that an attribute of an ATV is its speed or that racing an ATV or operating an ATV at a fast speed is safe or appropriate. Statements concerning any ATV's power must be directly related to its use for utility purposes, or consist solely of a description of its mechanical characteristics.**
- 2. Except as provided in paragraph II.G.4. and 5., advertisements shall not depict ATVs being operated at fast speeds or being operated in formal or informal races.**
- 3. These restrictions shall not prohibit defendants from advertising upcoming races as long as the advertisement promotes the race, not the vehicle. This does not prohibit describing the vehicles involved in the race so long as the primary focus and purpose of the advertisement is to attract spectators to the race itself.**
- 4. Advertisements for "sport models" and "competition models", as defined in Guidelines for Point-of-Purchase Safety Materials (Appendix D), may state, directly or by implication, that an attribute of the model advertised is its speed or depict ATVs being operated at organized races in: (1) advertisements appearing in race programs distributed at organized races; (2) sales brochures distributed at the dealership, consumer shows, and race events; and (3) rider enthusiast publications.
 - a. Any such advertisements depicting racing must contain the following disclosure in conspicuous and legible type in contrast by typography, layout, or color with other printed material in the advertisement: "Photographed using highly skilled [insert "professional" or "race-sanctioned"] operator under controlled conditions." The disclosure shall appear adjacent to the racing depiction.**
 - b. Any photographs must make it clearly evident that the ATVs are actual racing vehicles with professional operators or race-sanctioned amateurs.****
- 5. Any promotional videos depicting scenes from actual organized racing events must conform to the following requirements:**

- a. Any racing scenes that are inconsistent with the provisions of section II.(except paragraphs II.D.2. and 4.) will be edited from the tape, except that an ATV's wheels may be shown leaving the ground during the normal course of racing.
 - b. The video must contain the following message: "Racing scenes photographed during an organized race involving highly skilled operators under controlled conditions." The message must be delivered orally and visually at both the beginning and end of the video. In addition, the message must be superimposed during race scenes as follows:
 - (1) In racing scenes of five minutes or less, it must be superimposed at the beginning of the scene, and every sixty seconds thereafter. In racing scenes lasting more than five minutes, it must be superimposed at the beginning of the scene and every two minutes thereafter.
 - (2) Each time, it must be superimposed on the screen for ten seconds in legible print, against a contrasting background, and of sufficient size to be clearly read by a person of normal eyesight at normal viewing distance.
- H. **Stunt Maneuvers and Operator Behavior:** Advertisements shall not state, directly or by implication, that any of the following maneuvers or forms of operator behavior are safe or appropriate and shall not depict any of the following maneuvers or forms of operator behavior:
- 1. Wheelies, jumps, or any other maneuver in which one or more of an ATV's wheels leaves the ground (ATVs must have wheels on the ground at all times, except that wheel(s) may leave the ground slightly and momentarily as part of normal operation);
 - 2. Aggressive or prolonged sliding or skidding [This does not prohibit depictions of an ATV during turns at moderate speed, but highlights or close-ups of wheels spraying dirt, sand, gravel, snow, or other material are prohibited (except in racing scenes as provided in paragraphs II.G.4. and 5.)];

3. Operator inattention, including operator failure to keep his or her eyes on the path ahead or failure to keep both hands on the handlebars;
4. Wild, reckless, or aggressive behavior or dangerous use of ATVs (except that aggressive behavior may be depicted in racing scenes depicted pursuant to paragraphs II.G.4. and 5.);
5. More than one rider on an ATV;
6. Formations of operators grouped too tightly or following too closely for the speed traveled (except for racing scenes as provided in paragraphs II.G.4. and 5.);
7. Headlights (where present) not on when the ATV is running (except in racing scenes as provided in paragraphs II.G.4. and 5.);
8. Operating without a whip antenna and flag (approximately 8 feet in height) on sand dunes or other similar areas of limited vision (except in racing scenes as provided in paragraphs II.G.4. and 5.).

I. Protective Equipment:

1. a. All operators must wear a helmet, eye protection, gloves, long pants, long-sleeved shirt or jacket, and boots that cover the ankle. If a racer is depicted pursuant to paragraph II.G.4. or 5., the racer must wear full motocross race protective gear.
- b. Such apparel must also be worn or clearly visible for any person appearing to be a potential operator.
2. Advertisements shall not state, directly or by implication, that ATV operation without proper use of the safety apparel and other protective equipment discussed in paragraph II.I.1.a. is safe or appropriate.

J. Cargo and Trailers:

1. a. Advertisements shall not state, directly or by implication, that it is safe or appropriate to carry cargo or tow a trailer which exceeds recommended weight limits for an ATV.
- b. Trailers and cargo shall be within recommended weight limits for towing and carrying. Cargo that is within the recommended weight limits shall not give the appearance of being heavier than it actually is.
2. Cargo on racks or in trailers shall always be properly secured and evenly balanced, left to right, and appropriately balanced front to rear. Headlights must not be obscured.
3. Advertisements shall not state, directly or by implication, that heavy loads may be carried or towed up or across steep slopes.

III. SAFETY MESSAGES

- A. **Scope:** The provisions of this section shall apply to all advertising and promotional materials covered by these guidelines **except:**
1. Dealer advertising or promotional material which promotes only:
 - a. local dealer sales events;
 - b. model price information; or
 - c. dealership product and location information.
 2. Advertising and promotional materials which:
 - a. depict only an ATV(s) and the manufacturer's name and/or model designation(s) without accompanying text;
 - b. are designed simply to present multiple product lines, including products other than ATVs, without addressing ATV performance in operation or "image" characteristics of individual products; or
 - c. are primarily intended to promote company products other than ATVs (e.g., motorcycles, outboard motors, etc.) but which also refer to or depict ATVs as part of the company's product line without addressing ATV

performance in operation or "image" characteristics of ATVs.

B. Magazines, Newspapers, and Sales Brochures

1. Contents of safety messages in magazines, newspapers, and sales brochures:

a. All such advertisements and promotional materials shall contain:

i. The age recommendations for each model depicted or referred to (specifically or as part of a class of ATV models).

**ii. A message similar to the following:
"[Arctic Cat recommends that all ATV riders take a training course. For safety and training information, see your dealer or call SVIA at 1-800-887-2887.]"**

iii. The following warning: "ATVs Can Be Hazardous To Operate."

b. In magazines and newspapers, the warning required by paragraph B.1.a.iii shall be followed by the words "For your safety;" and appropriately worded messages addressing at least two of the following "safety tips" on a rotating basis:

i. Always wear a helmet, eye protection, and protective clothing;

ii. Never ride on paved surfaces or public roads;

iii. Never carry passengers;

iv. Never engage in stunt driving;

v. Riding and alcohol/drugs don't mix;

vi. Avoid excessive speeds; and

vii. Be particularly careful on difficult terrain.

E. Posters:

- 1. All posters intended for distribution to consumers (i.e., not including materials intended solely for use in dealership showrooms or company offices) shall:**
 - a. affirmatively represent the age recommendation(s) for the model(s) depicted; and**
 - b. contain the warning statement set forth in paragraph B.1.a.iii.**

- 2. The above messages shall appear in conspicuous and legible type in contrast by typography, layout or color with other printed material in the posters.**

Attachment 1 to APPENDIX E

WARNING: ATVs Can be Hazardous To Operate.
For your safety: Never ride on paved surfaces or
public roads. Always wear a helmet, eye
protection, and other protective clothing.

(NOT ACTUAL SIZE)

Appendix F

GUIDELINES FOR
WARNING AND CAUTION STATEMENTS IN OWNER'S MANUALS

I. SCOPE

For purposes of these Guidelines, the term "warning" shall refer to a statement about a potential hazard which could result in a serious injury or death, and the term "caution" shall refer to a statement about a potential hazard which may result in minor or moderate personal injury or in damage to the ATV.

II. MANDATORY WARNINGS

The warnings to be contained in each owner's manual shall conform to the following requirements:

A. Content: The warnings shall have, at a minimum, substantially the same content as the warnings and corresponding illustrations as follows:

No. 1



POTENTIAL HAZARD

Operating this ATV without proper instruction.

WHAT CAN HAPPEN

The risk of an accident is greatly increased if the operator does not know how to operate the ATV properly in different situations and on different types of terrain.

HOW TO AVOID THE HAZARD

Beginning and inexperienced operators should complete the certified training course offered. They should then regularly practice the skills learned in the course and the operating techniques described in this Operator's Manual. For more information about the training course, contact an authorized ARCTIC CAT® ATV dealer or call 1-800-887-2887.

No. 2



POTENTIAL HAZARD

Allowing anyone under age 18 to operate this ATV.

WHAT CAN HAPPEN

Use of ATVs by children can lead to severe injury or death of the child. Children under age 18 may not have the skills, abilities, or judgment needed to operate the ATV safely and may be involved in a serious accident.

HOW TO AVOID THE HAZARD

A child under 18 should never operate this ATV.

No. 3



POTENTIAL HAZARD

Carrying a passenger on this ATV .

WHAT CAN HAPPEN

Greatly reduces your ability to balance and control this ATV.
Could cause an accident, resulting in injury or death to you and/or your passenger.

HOW TO AVOID THE HAZARD

Never carry a passenger. The long seat is to allow the operator to shift position as needed during operation. It is not for carrying passengers.

No. 4



POTENTIAL HAZARD

Operating this ATV on paved surfaces.

WHAT CAN HAPPEN

The ATV's tires are designed for off-road use only, not for use on pavement. Paved surfaces may seriously affect handling and control of the ATV, and may cause the vehicle to go out of control.

HOW TO AVOID THE HAZARD

Never operate the ATV on any paved surfaces, including sidewalks, driveways, parking lots and streets.

No. 5



POTENTIAL HAZARD

Operating this ATV on public streets, roads, or highways.

WHAT CAN HAPPEN

You can collide with another vehicle.

HOW TO AVOID THE HAZARD

Never operate this ATV on any public street, road, or highway, even a dirt or gravel one.
In many states it is illegal to operate ATVs on public streets, roads, or highways.

No. 6



POTENTIAL HAZARD

Operating this ATV without wearing an approved motorcycle helmet, eye protection, and protective clothing.

WHAT CAN HAPPEN

Operating without an approved motorcycle helmet increases your chances of a severe head injury or death in the event of an accident.
Operating without eye protection can result in an accident and increases your chances of a severe injury in the event of an accident.
Operating without protective clothing increases your chances of severe injury in the event of an accident.

HOW TO AVOID THE HAZARD

Always wear an approved motorcycle helmet that fits properly. You should also wear: eye protection (goggles or face shield), gloves, boots, long-sleeved shirt or jacket, and long pants.

No. 7



POTENTIAL HAZARD

Operating this ATV after or while consuming alcohol or drugs.

WHAT CAN HAPPEN

Could seriously affect your judgment.
Could cause you to react more slowly.
Could affect your balance and perception.
Could result in an accident.

HOW TO AVOID THE HAZARD

Never consume alcohol or drugs before or while driving this ATV.

No. 8



POTENTIAL HAZARD

Operating this ATV at excessive speeds.

WHAT CAN HAPPEN

Increases your chances of losing control of the ATV, which can result in an accident.

HOW TO AVOID THE HAZARD

Always ride at a speed that is proper for the terrain, visibility and operating conditions, and your experience.

No. 9



POTENTIAL HAZARD

Attempting wheelies, jumps, and other stunts.

WHAT CAN HAPPEN

Increases the chance of an accident, including an overturn.

HOW TO AVOID THE HAZARD

Never attempt stunts, such as wheelies or jumps. Don't try to show off.

No. 10



POTENTIAL HAZARD

Failure to inspect the ATV before operating.
Failure to properly maintain the ATV.

WHAT CAN HAPPEN

Increases the possibility of an accident or equipment damage.

HOW TO AVOID THE HAZARD

Always inspect your ATV each time you use it to make sure the ATV is in safe operating condition.
Always follow the inspection and maintenance procedures and schedules described in this Operator's Manual.

No. 11



POTENTIAL HAZARD

Removing hands from handlebars or feet from footrests during operation.

WHAT CAN HAPPEN

Removing even one hand or foot can reduce your ability to control the ATV or could cause you to lose your balance and fall off the ATV. If you remove a foot from a footrest, your foot or leg may come into contact with the wheels, which could injure you or cause an accident.

HOW TO AVOID THE HAZARD

Always keep both hands on the handlebars and both feet on the footrests of your ATV during operation.

No. 12



POTENTIAL HAZARD

Failure to use extra care when operating the ATV on unfamiliar terrain.

WHAT CAN HAPPEN

You can come upon hidden rocks, bumps, or holes without enough time to react. Could result in the ATV overturning or going out of control.

HOW TO AVOID THE HAZARD

Go slowly and be extra careful when operating on unfamiliar terrain. Always be alert to changing terrain conditions when operating the ATV.

No. 13



POTENTIAL HAZARD

Failure to use extra care when operating on rough, slippery, or loose terrain.

WHAT CAN HAPPEN

Could cause loss of traction or vehicle control, which could result in an accident, including an overturn.

HOW TO AVOID THE HAZARD

Do not operate on rough, slippery, or loose terrain until you have learned and practiced the skills necessary to control the ATV on such terrain. Always be especially cautious on these kinds of terrain.

No. 14



POTENTIAL HAZARD

Turning improperly.

WHAT CAN HAPPEN

ATV could go out of control, causing a collision or overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for turning as described in this Operator's Manual. Practice turning at slow speeds before attempting to turn at faster speeds. Do not turn at excessive speeds.

No. 15



POTENTIAL HAZARD

Operating on steep hills.

WHAT CAN HAPPEN

The vehicle can overturn more easily on steep hills than on level surfaces or small hills.

HOW TO AVOID THE HAZARD

Never operate the ATV on hills too steep for the ATV or for your abilities.
Practice on smaller hills before attempting larger hills.

No. 16



POTENTIAL HAZARD

Climbing hills improperly.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for climbing hills as described in this Operator's Manual.
Always check the terrain carefully before you start up any hill.
Never climb hills with slippery or loose surfaces.
Shift your weight forward.
Never open the throttle suddenly or make sudden gear changes.
The ATV could flip over backwards.
Never go over the top of any hill at high speed. An obstacle, a sharp drop, or another vehicle or person could be on the other side of the hill.

No. 17



POTENTIAL HAZARD

Going down a hill improperly.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Always follow proper procedures for going down hills as described in this Operator's Manual.
Always check the terrain carefully before you start down any hill.
Shift your weight backward.
Never go down a hill at high speed.
Avoid going down a hill at an angle that would cause the vehicle to lean sharply to one side. Go straight down the hill where possible.

No. 18



POTENTIAL HAZARD

Improperly crossing hills or turning on hills.

WHAT CAN HAPPEN

Could cause loss of control or cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Never attempt to turn the ATV around on any hill until you have mastered the turning technique as described in this Operator's Manual.
Practice first on level ground. Be very careful when turning on any hill.
Avoid crossing the side of a steep hill, if possible.

When crossing the side of a hill:

Always follow proper procedures as described in this Operator's Manual.
Avoid hills with slippery or loose surfaces.
Shift your weight to the uphill side of the ATV.

No. 19



POTENTIAL HAZARD

Stalling, rolling backwards, or improperly dismounting while climbing a hill.

WHAT CAN HAPPEN

Could result in the ATV overturning.

HOW TO AVOID THE HAZARD

Use proper gear and maintain steady speed when climbing a hill.

If you lose all forward speed:

Keep weight uphill.
Apply the brakes.
Lock the parking brake after you are stopped.

If you begin rolling backwards:

Keep weight uphill.
Apply the brakes while rolling backwards.
When fully stopped, lock the parking brake.

Dismount on uphill side or to a side if pointed straight uphill.
Turn the ATV around and mount, following the procedure described in this Operator's Manual.

No. 20



POTENTIAL HAZARD

Improperly operating over obstacles.

WHAT CAN HAPPEN

Could cause loss of control or a collision. Could cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Before operating in a new area, check for obstacles. Never attempt to ride over large obstacles, such as large rocks or fallen trees.
When you go over obstacles, always follow proper procedures as described in this Operator's Manual.

No. 21



POTENTIAL HAZARD

Skidding or sliding.

WHAT CAN HAPPEN

You may lose control of the ATV.
You may also regain traction unexpectedly, which may cause the ATV to overturn.

HOW TO AVOID THE HAZARD

Learn to safely control skidding or sliding by practicing at slow speeds and on level, smooth terrain.

On extremely slippery surfaces, such as ice, go slowly and be very cautious in order to reduce the chance of skidding or sliding out of control.

No. 22



POTENTIAL HAZARD

Operating the ATV through deep or fast flowing water.

WHAT CAN HAPPEN

Tires may float, causing loss of traction and loss of control, which could lead to an accident.

HOW TO AVOID THE HAZARD

Never operate the ATV in fast flowing water or in water deeper than the footrests.

Remember that wet brakes may have reduced stopping ability. Test your brakes after leaving water. If necessary, apply them several times to dry out the pads.

No. 23



POTENTIAL HAZARD

Improperly operating in reverse.

WHAT CAN HAPPEN

You could hit an obstacle or person behind you, resulting in serious injury.

HOW TO AVOID THE HAZARD

Before you engage reverse gear, make sure there are no obstacles or people behind you. When it is safe to proceed, go slowly.

No. 24



POTENTIAL HAZARD

Operating the ATV with improper tires, or with improper or uneven tire pressure.

WHAT CAN HAPPEN

Use of improper tires on the ATV, or operation of the ATV with improper or uneven tire pressure, may cause loss of control, increasing your risk of an accident.

HOW TO AVOID THE HAZARD

Always use the size and type tires specified in this Operator's Manual for this vehicle.

Always maintain proper tire pressure as described in this Operator's Manual.

No. 25



POTENTIAL HAZARD

Operating the ATV with improper modifications.

WHAT CAN HAPPEN

Improper installation of accessories or modification of the vehicle may cause changes in handling which, in some situations, could lead to an accident.

HOW TO AVOID THE HAZARD

Never modify the ATV through improper installation or improper use of accessories. All parts and accessories added to this vehicle

should be genuine ARCTIC CAT® ATV components designed for use on the ATV and should be installed and used according to instructions. Never install a twist grip throttle. If you have questions, consult an authorized ARCTIC CAT® ATV dealer.

No. 26



POTENTIAL HAZARD

Overloading the ATV or carrying or towing cargo improperly.

WHAT CAN HAPPEN

Could cause changes in vehicle handling, which could lead to an accident.

HOW TO AVOID THE HAZARD

Never exceed the stated load capacity for the ATV.

Cargo should be properly distributed and securely attached.

Reduce speed when carrying cargo or pulling a trailer. Allow greater distance for braking.

Always follow the instructions in this Operator's Manual for carrying cargo or pulling a trailer.

B. Format

1. The SAE safety alert symbol shall precede the signal word on a single line, which shall be separated from the text by a horizontal line;

2. The warning or caution statement shall be completely framed so as to isolate the statement from the narrative text of the manual;

3. The hazard statement shall appear first in the text of the warning or caution, followed by the consequences statement, and concluded by the avoidance statement; and

4. A line of space shall separate the hazard statement from the consequence statement. A line of space shall separate the consequence statement from the avoidance statement.

C. Color Scheme and Letter Typeface:

1. In the 1996 owner's/operator's manual, the SAE safety alert symbol and signal word is on a black background; the signal word "warning" is in white lettering; the SAE safety alert symbol is a white outline triangle (point up) with a black background and a white exclamation mark.

2. Beginning with the 1997 owner's/operator's manual, the SAE safety alert symbol and signal word shall be on a black background; the signal word "warning" shall be in white lettering; the SAE safety alert symbol shall be a white triangle

(point up) with a black exclamation mark.

3. The text of the warnings shall be printed in black ink on white paper.

4. The typeface of the text of the warning statements shall in no event be script, but shall be either Helvetica Bold or New Gothic bold type font, or a substantially similar font;

5. The typeface shall be bold face sans serif;

6. The size of the typeface of the text of the warnings shall be at least .10 inches, and the size of the typeface of the signal word "WARNING" and safety alert symbol shall be at least .15 inches.

D. Letter Size: The size of the safety alert symbol and signal word shall be 50% greater than the size of the typeface of the text of the warning.

E. Placement

1. Each warning shall be placed such that it clearly relates to the relevant narrative text.

2. Each warning shall be placed such that it appears entirely on a single page. No warning shall be split between two pages; and

3. Corresponding illustrations shall appear adjacent to the warning, on the same page or on the facing page.

F. Any warning or cautionary labels reproduced in the manual shall be consistent with the label on the ATV and printed in black ink on a white background.

III. DISCRETIONARY WARNING AND CAUTION STATEMENTS

A. Content

Any "warning" included in a manual, other than the mandatory warnings, and any "caution," other than a "caution" that relates principally to damage to the vehicle, included in a manual shall contain the following elements:

1. The Society of Automotive Engineers (SAE) safety alert symbol and the signal word "WARNING" or "CAUTION" in capital letters;
2. A concise, unambiguous narrative statement of the potential hazard being warned about ("the hazard statement");
3. A concise, unambiguous narrative description of the consequences if the potential hazard is encountered ("the consequence statement");
4. A concise, unambiguous narrative description of what to do to avoid the potential hazard ("the avoidance statement");
5. Where a potential hazard has more than one consequence, the warning shall include, for each consequence, a description of the consequence, immediately followed by a description of what to do to avoid the potential hazard.

B. Readability Level: To the extent feasible, each "warning" and "caution" shall be written in plain, simple terms so as to be readily comprehended by the average seventh grader, as measured by a standard technique for assessing the readability of written materials.

C. Format

1. The SAE safety alert symbol shall precede the signal word on a single line, which shall be separated from the text by a horizontal line;
2. The warning or caution statement -- including all elements -- shall be completely framed with a margin of white space inside a black line forming a rectangle, so as to isolate the statement from the narrative text of the manual; and
3. The hazard statement shall appear first in the text of the warning or caution, followed by the consequences

statement, and concluded by the avoidance statement.

D. Color Scheme and Letter Typeface

1. Warning Statements

a. In the 1996 owner's/operator's manual, the SAE safety alert symbol and signal word is on a black background; the signal word "warning" is in white lettering; the SAE safety alert symbol is a white outline triangle (point up) with a black background and a white exclamation mark.

b. Beginning with the 1997 owner's/operator's manual, the SAE safety alert symbol and signal word shall be on a black background; the signal word "warning" shall be in white lettering; the SAE safety alert symbol shall be a white triangle (point up) with a black exclamation mark.

c. The text of the warnings shall be printed in black ink on white paper.

2. Caution Statements

a. In the 1996 and 1997 owner's/operator's manual, the SAE safety alert symbol and signal word is on a tinted background; the signal word "caution" is in black lettering; the SAE safety alert symbol is a black outline triangle (point up) with a black exclamation mark;

b. In the 1998 owner's/operator's manual, the SAE safety alert symbol and signal word shall be on a white background; the signal word "caution" shall be in black lettering; the SAE safety alert symbol shall be a black triangle (point up) with a white exclamation mark;

c. The text of the caution statement shall be printed in black ink on white paper.

E. Letter typeface and Size

1. The typeface of the text of the warning or caution shall in no event be script, but shall be either Helvetica Bold or New Gothic Bold type font, or a substantially similar font;

2. The typeface shall be bold face sans serif;

3. The size of the safety alert symbol and signal word shall be 50% greater than the size of the typeface of the text of the warning or caution.

F. Placement

1. Each warning or caution shall be placed such that it clearly relates to the relevant narrative text;

2. Each warning or caution shall be placed such that it appears entirely on a single page. No warning or caution statement shall be split between two pages; and

3. Any photograph, sketch or pictograph that illustrates a warning or caution shall appear adjacent to the warning or caution, on the same page or on the facing page.

G. Illustrations Of Hazards

1. Where a person is depicted operating an ATV, the person shall be shown wearing an approved motorcycle helmet, eye protection, gloves, boots, long trousers and a long-sleeved shirt or jacket.

2. For manuals for adult-sized ATVs, where a person is

depicted, the person shall not appear to be younger than 18 years old.

3. Any photograph, sketch or pictograph that illustrates an inappropriate practice or hazardous condition shall clearly indicate, with a diagonal slash or otherwise, that the practice or condition is inappropriate or hazardous.

Appendix G

ATV SAFETY ALERT

The Consumer Product Safety Commission has concluded that ALL-TERRAIN VEHICLES (ATVs) may present a risk of DEATH or SEVERE INJURY in certain circumstances. While accidents may occur for many reasons:

- *** Over _____ people, including many children, have died in accidents associated with ATVs since [five years prior to publication].
- *** Many people have become severely paralyzed or suffered severe internal injuries as a result of accidents associated with ATVs.
- *** Every month thousands of people are treated in hospital emergency rooms for injuries received while riding an ATV.

You should be aware that AN ATV IS NOT A TOY AND CAN BE HAZARDOUS TO OPERATE. An ATV handles differently from other vehicles, including motorcycles and cars. A collision or rollover can occur quickly, even during routine maneuvers such as turning and driving on hills and over obstacles, if you fail to take proper precautions.

TO AVOID DEATH OR SEVERE PERSONAL INJURY:

- o ALWAYS READ THE OWNER'S MANUAL CAREFULLY AND FOLLOW THE OPERATING PROCEDURES DESCRIBED. PAY SPECIAL ATTENTION TO THE WARNINGS CONTAINED IN THE MANUAL AND ON ALL LABELS.
- o NEVER OPERATE AN ATV WITHOUT PROPER INSTRUCTION. TAKE A TRAINING COURSE. BEGINNERS SHOULD COMPLETE THE TRAINING COURSE DESCRIBED BELOW.

- NEVER ALLOW ANYONE UNDER 18 YEARS OLD TO OPERATE AN ARCTCO ATV.
- NEVER CARRY A PASSENGER ON AN ATV. CARRYING A PASSENGER MAY UPSET THE BALANCE OF THE ATV AND MAY CAUSE IT TO GO OUT OF CONTROL.
- NEVER OPERATE AN ATV ON PAVEMENT. THE VEHICLE IS NOT DESIGNED TO BE USED ON PAVED SURFACES AND MAY BE DIFFICULT TO CONTROL.
- NEVER OPERATE AN ATV ON A PUBLIC ROAD, EVEN A DIRT OR GRAVEL ONE, BECAUSE YOU MAY NOT BE ABLE TO AVOID COLLIDING WITH OTHER VEHICLES. ALSO, OPERATING AN ATV ON A PUBLIC ROAD MAY BE AGAINST THE LAW.
- NEVER OPERATE AN ATV WITHOUT AN APPROVED MOTORCYCLE HELMET, EYE PROTECTION, BOOTS, GLOVES, LONG PANTS AND A LONG-SLEEVED SHIRT OR JACKET.
- NEVER CONSUME ALCOHOL OR DRUGS BEFORE OR WHILE OPERATING AN ATV.
- NEVER OPERATE AN ATV AT EXCESSIVE SPEEDS. GO AT A SPEED WHICH IS PROPER FOR THE TERRAIN, VISIBILITY CONDITIONS, AND YOUR EXPERIENCE.
- NEVER ATTEMPT TO DO WHEELIES, JUMPS OR OTHER STUNTS.
- ALWAYS BE CAREFUL WHEN OPERATING AN ATV, ESPECIALLY WHEN APPROACHING HILLS, TURNS, AND OBSTACLES AND WHEN OPERATING ON UNFAMILIAR OR ROUGH TERRAIN.
- NEVER LEND YOUR ATV TO ANYONE WHO HAS NOT TAKEN A TRAINING COURSE OR HAS NOT BEEN DRIVING AN ATV FOR AT LEAST A YEAR.

TRAINING COURSE

Anyone who purchased a new ATV after December 30, 1986, and everyone in the purchaser's immediate family who is within the recommended age group for the ATV purchased, is entitled to take a training course at no additional charge. Others can take the training course for a small fee. Individuals who purchased a new ATV after _____, 1988, will be entitled to a \$ 100 U.S. Savings Bond [or] [,] \$ 50 cash [or a merchandise certificate] upon completing the course. Limit one rebate per ATV purchased. Ask an authorized dealer for the details or call 1-800-447-4700 for training information.

FOR MORE INFORMATION ABOUT ATV SAFETY, CALL THE CONSUMER PRODUCT SAFETY COMMISSION AT 1-800-638-2772, OR THE ASI SAFETY HOTLINE at 1-800-887-2887.