



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

1200 New Jersey Avenue SE  
Washington, DC 20590

November 29, 2018

Mr. Donald Sweeney  
Vice President  
BatteryJack Inc.  
772 Twin Rail Dr.  
Minooka, IL 60447

NEF-150SS  
18E-104

**Subject:** Helmet may not Protect from Impact/FMVSS 218

Dear Mr. Sweeney:

This letter serves to acknowledge BatteryJack Inc.'s notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

**Makes/Models/Model Years:**

DSR/808 ADULT HELMET/9999

**Mfr's Report Date:** November 12, 2018

**NHTSA Campaign Number:** 18E-104

**Components:**

EQUIPMENT:MOTORCYCLE:HELMETS

**Potential Number of Units Affected:** 323

**Problem Description:**

BatteryJack Inc. (BatteryJack) is recalling certain DSR 808 adult motorcycle helmets, size medium, large, and extra large. These helmets may not adequately protect the wearer in the event of a head impact during a motorcycle crash. Additionally, these helmets may not be properly labeled. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard (FMVSS) number 218, "Motorcycle Helmets."

**Consequence:**

A helmet that does not adequately protect the wearer from an impact can increase the risk of injury in the event of a crash.

**Remedy:**

BatteryJack will notify owners and provide a full refund, free of charge. The manufacturer has not yet provided a notification date. Owners may contact BatteryJack customer service at 1-815-467-6464.

**Notes:**

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to [www.safercar.gov](http://www.safercar.gov).

NHTSA is missing critical, required information for this safety recall. This information must be supplied through the NHTSA Recalls Portal within 5 working days of confirming its accuracy:

- A description of how the products to be recalled differ from similar products that are not included in the recall (49 CFR 573.6 (c) (2)). Specifically why are only the extra large helmets being recalled?
- Your company must supply the estimated date(s) for which it will notify owners regarding this safety recall. If your company subsequently becomes aware that either the beginning or the completion dates reported to the agency for any of the notifications will be delayed by more than two weeks, your company shall promptly advise the agency of the delay and the reasons therefore, and furnish a revised estimate (49 CFR 573.6 (c)(8)(ii)). This requirement exists despite your previous communication to the owners in 2016 and must be done in accordance with 49 CFR Part 577.
- Your company must supply the estimated date(s) for which it will notify dealers and/or distributors regarding this safety recall. If your company subsequently becomes aware that either the beginning or the completion dates reported to the agency for any of the notifications will be delayed by more than two weeks, your company shall promptly advise the agency of the delay and the reasons therefore, and furnish a revised estimate. (49 CFR 573.6 (c)(8)(ii)).

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

Please be reminded of the following requirements:

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

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

Your contact for this recall will be Sarah Shiver who may be reached by phone at (202) 366-7401, or by email at [sarah.shiver@dot.gov](mailto:sarah.shiver@dot.gov). We look forward to working with you.

Sincerely,



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