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2005 APR 14 AM 3:46

Olympia, WA

April 11, 2005

Consumer Services c/o Polaris Industries Inc.  
2100 Highway 55  
Medina, MN 55340  
(763) 417-8650

*Copy given to  
RMB  
at  
4/20/05*

CC: US Department of Transportation  
National Highway Traffic Safety Administration,  
Office of Defects Investigation,  
NSA-10.01, 400 7<sup>th</sup> Street, SW,  
Washington, D.C. 20590

Dear Sir or Madam,

I own a 2003 Victory Vegas, V.L.N. #5VPG16D733 that has a defective gas tank. The tank was recalled by Victory in November or December of 2004. In the letter I received from Victory it stated to "...take it to your local authorized Victory Dealer for repairs". I reside in Olympia, WA and my local authorized dealer is:

Cycle Mart  
8003 Martin Way E.  
Olympia, WA 98516-5721  
(360) 493-5721

I called Cycle Mart to have them replace my gas tank in January or February and they told me they would order the tank. A month then passed by and I had not heard from them so I called them again. Cycle Mart then informed me they had no record of my calling and that they would not replace the tank. Cycle Mart subsequently instructed me to take it to the dealer I purchased it from and have Skagit Valley Polaris replace the tank for me.

I purchased my motorcycle from Skagit Valley Polaris in Mt. Vernon, WA. They are approximately three hours away (with traffic through Seattle, Everett, and Tacoma). Let me first note that Skagit Valley Polaris has been outstanding throughout this whole ordeal. They actually contacted me and informed me of the recall and requested me bringing my bike up to them so they may fix the problem. But when I informed them of the distance I lived from their business they fully supported and advised me to bring the bike to Cycle Mart for repairs. As Cycle Mart is an authorized Victory dealer.

*Morgan  
4/24/05*

After learning that Cycle Mart would not remedy the problem I e-mailed Victory customer support stating my name, nature of problem, V.I.N., e-mail address, and I believe even my phone number. More than a week later I had yet to hear from Victory. Subsequently I phoned Corporate Victory at: (763) 417-8650. I was on hold for over 15 minutes and I finally chose to leave a message stating: my name, nature of problem, V.I.N., and phone number. This was approximately 4-5 days ago and I have yet to receive a response. Three days ago I phoned Polaris 1-800-POLARIS (the parent company of Victory) and explained the situation to a customer service representative. The representative then advised that I was correct to attempt to take my bike to my local dealer (Cycle Mart) and that I should contact Victory through the means described above (e-mail and phone). When I informed the representative that I had attempted e-mail and left a phone message the representative then advised me to mail a letter, which I am obviously doing now. And finally just today I wanted to give Victory one last chance over the phone before I mailed this letter. I phoned Victory once again at the number: (763) 417-8650. I was on hold, long distance, for over 21 minutes and had yet to speak to a representative.

In the recall letter I received from Victory it states, "If you believe that the Victory Motorcycle Division of Polaris Industries Inc. has failed to remedy this defect without charge or is unable to do so within a reasonable time, you may submit a complaint to the Administrator of the National Highway Traffic Safety Administrations at..." Please allow me now to explain why I believe the Motorcycle Division of Polaris Industries has failed in both these areas.

- If I am required to haul my bike to its place of purchase then this will require me to spend approximately \$75 on fuel (calculated by 128 miles, 17mpg, and \$2.50/gallon of regular unleaded fuel). I am not trying to be petty but I am simply pointing out that there will be an inordinate operating expense to take my bike to Mount Vernon rather than having my local dealer perform the work. Also I will concede that there are dealers besides my local dealer that are closer than Mount Vernon but the closest one is still an hour away as opposed to 10 minutes to Cycle Mart.
- The Victory Motorcycle Division has authorized a dealer in Olympia, Cycle Mart, to sell and repair Victory motorcycle products and accessories. As an authorized dealer and service shop it is my understanding that they are mandated to fix defects on all Victory Motorcycles regardless of whether or not you purchased the bike there.
- Cycle Mart, a dealer authorized by the Victory Motorcycle Division to operate as such, has told me that they would replace the tank, then more than a month later after they stated that they ordered the tank they informed me they would not replace it. This falls under the "reasonable time" portion of the aforementioned complaint protocol.

- Victory Motorcycle Division has failed to return any of my messages. I have attempted to contact them through phone (twice) and e-mail once. This is unacceptable, a safety issue of high importance such as this is not being expedited properly by the company that is liable for the defect. Just as a side note I sincerely hope it is not a standard practice to have customers wait over 20 minutes on the phone to speak with a representative. And I never even got someone on the phone! Also this was a long distance number. An 800 number would be more appropriate for customers if a 20 minute wait is standard. Not to mention when I did leave a message no one called me back!
- The amount of time (10 minutes) and effort spent driving to the nearest dealer, Cycle Mart, is considerably less than the hour or more it would take to transport my bike to the next nearest dealer. Let alone the possibility of transporting my bike three hours to Mount Vernon as Cycle Mart suggested me to do.

This is what I would like to see as a result of this letter/complaint:

- **CLARIFICATION-** I have yet to speak to anyone from the Victory Motorcycle Division! Let me know what the heck is going on!
- **REPERCUSSIONS** for Cycle Mart's unprofessional handling of this situation. On a similar note I failed to mention I recently phoned Cycle Mart again to give them "one more chance". This was my third and final call to Cycle Mart. I notified Cycle Mart that I had attempted to contact the Victory Motorcycle Division and explained once again to the Cycle Mart employee my situation. His response was that their owner died in December of 2004 and that they were having a tough time "holding on". Although I empathize with their loss they are still an authorized Victory dealer who needs to honor factory safety defects per the Victory Motorcycle Division.
- **NOTIFICATION** of the NHTS. They need to be aware of deficiencies with regards to highway safety.
- **A PROMISE** to Victory that I will never purchase another bike from your company. This experience has been disappointing and inappropriate.

Sincerely,