

INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6) DOT Auto Safety Hotline		FOR AGENCY USE ONLY 100148	
U.S. Department of Transportation National Highway Traffic Safety Administration		Date Received <b>DEC 13 2012</b> 26-OCT-2012	Repository <input type="checkbox"/> Reference No. 10482373
<b>Vehicle Owner's Questionnaire</b> To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET:www.nhtsa.dot.gov/hotline			
<b>OWNER INFORMATION (Type or Print)</b>			
Name		Daytime Telephone Number	E-mail Address
Address		Evening Telephone Number	
City	State	Zip Code	
FORT MYERS	FL		
The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).			
<b>VEHICLE INFORMATION</b>			
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side		Make	Model
5VPSD36D983 [REDACTED] 5VPSD36D383 [REDACTED]		VICTORY	VISION
Model Year	Date Purchased	Dealer's Name and Telephone Number	Engine:
2008			No: Cylinders
	Original Owner	Dealer's City	State
	<input checked="" type="checkbox"/>		Zip Code
Transmission Type	Antilock Brakes	Powertrain	Multiple Failure:
	<input type="checkbox"/>		Incident Date(s)
	<input type="checkbox"/>		13-SEP-2011
			2012
<b>FAILED COMPONENT(S)/PART(S) INFORMATION</b>			
Vehicle Component Codes: 010000 STEERING, 162000 STRUCTURE: BODY		Failure Mileage	Failure Speed
		46,000	80-85 MPH
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</b>			
Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)	
DOT No. (Example: DOTM9ABC036)	<input type="checkbox"/> Original Equipment	Failure Location:	
	<input type="checkbox"/> Prior Repair		
Tire Component Code		Tire Failure Type:	
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</b>			
Make:	Date Manufactured:	Model No./Name:	
Seat Type:	Installation System:		
Child Seat Component Code:	Failed Part:		
<b>APPLICABLE INCIDENT INFORMATION</b> (Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)			
Crash	Fire	Number of Persons Injured	Number of Deaths
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	0	0
Reported to Police		N	
Narrative Description of Incident(S), Crash(es), and Injury(ies). Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).			
TL* THE CONTACT OWNS A 2008 VICTORY VISION MOTORCYCLE. THE CONTACT STATED THAT WHILE DRIVING THE VEHICLE AT APPROXIMATELY 85 MPH THE FRONT FENDER AND REAR PORTION OF THE VEHICLE BEGAN TO VIBRATE ABNORMALLY. IN ADDITION, THE FRONT FENDER HAD A MOLDING AROUND THE PLASTIC WHICH BECAME DISLODGED AND WOULD NOT ALLOW THE VEHICLE TO TURN LEFT OR RIGHT. THE VEHICLE WAS TAKEN TO THE DEALER FOR DIAGNOSTIC TESTING AND THE TECHNICIAN STATED THAT THE REAR FENDER WOULD HAVE TO BE REPLACED. THE FENDER WASHERS WERE REPLACED TEMPORARILY. THE CONTACT STATED THAT THE FAILURE OCCURRED PREVIOUSLY AND THE VEHICLE WAS REPAIRED FOR THE SAME FAILURE. THE FAILURE WAS NOT CORRECTED. THE APPROXIMATE FAILURE MILEAGE WAS 8,000 AND THE CURRENT MILEAGE WAS 47,238.			
Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY.			
The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.			

[REDACTED]  
[REDACTED]  
Ft Myers, FL [REDACTED]

December 2, 2012

US Dept of Transportation  
National Highway Traffic Safety Administration  
Office of Defects Investigation, NVS-290  
1200 New Jersey Ave SE  
Washington, DC 20077-9382

RE: 10482373

Attached are copies of my correspondence with Victory, a division of Polaris Industries, and, so far one paid, by me, of an invoice, to fix the front fender. Page 2 of 9 is a statement re the dealer that replaced the back of the front fender.

To correct the narrative description as you took over the phone, page 3 of 9 explains what had happened. When the rear of the front fender came loose, it jammed into the molding around the fairing, on the bottom, where the two parts of the molding come together, and the front wheel could NOT TURN. I was lucky, as I was coming to a stop. But if I had to turn, i.e. lean to go right or left, I most certainly would have gone down.

To correct your narrative, it should have said, that while riding my motorcycle, on the highway at about 80,85 mph, the rear part of the front fender came away from the spots where it rests on the front forks, and jammed into the bottom of the molding that goes around the front fairing, preventing me from turning my bike left or right. This happened in Alexandria, LA. My dealer, in Puntis Gorda, FL, Destination, called a local dealer, and told me where to go, and the dealer would take care of me. The owner of that dealership, see page 7 of 9, Will Loewer, stated that the piece that came loose was of poor quality, i.e. the plastic was too thin where it rests, on either side of the forks, and that there was space which allowed that part of the front fender to vibrate until it broke. He as a temporary measure put washers to take up that extra space.

The mileage at time of fixing, was 47,228. So everything had to happen before then.



10/9

**RE: Automatic reply: help****From :** Brandon Kirk <brandon.kirk@polaris.com>**Subject :** RE: Automatic reply: help**To :** [REDACTED]

Mon, Sep 17, 2012 01:34 PM

I will pass this message to Monty; just keep in mind that all repairs need to go through the dealer. If your friend is having an issue, have him take it to the dealer and allow them to work with Victory Technical Service to get it resolved.

I won't be back to Destination until late Oct / early November. You will have to work on getting the issue resolved without having me present.

Brandon

**From:** [REDACTED]**Sent:** Saturday, September 15, 2012 6:10 PM**To:** Brandon Kirk**Subject:** Re: Automatic reply: help

Brandon, It is the same person that you and Monty have been helping. A buddy of mine bought a new VIC Vision 2010 and just had the same thing happen to his bike. His name is [REDACTED] and he will be contacting both you and Monty. All these problems I am having, are not do to fair wear and tear. In some cases it is due to mechanic failure to correct a situation before it got bad, or poor workmanship, design, etc.

Please pass this message on to Monty, and when you get back, please call me and [REDACTED] and we will meet you at Destination

As always, thank you in advance.

2 of 9

Sat, Sep 29, 2012 12:35 AM

**From :** [REDACTED]**Subject :** Re: Automatic reply: help**To :** Brandon Kirk <brandon.kirk@polaris.com>

Hi. Speaking for myself, My fender was fixed by Loewer Powersports & Equipment Alexandria, LA 318-4879495, by the owner. I paid a total of \$118.43. He even gave me a break. Destination has nothing to do with this. As for the kickstand, that has to be fixed. I will have Destination give me an estimate. But I would like to settle this before I have to incur a big bill. The kickstand alone cost about \$100. Then there is the springs, bolts, etc, and of course labor.

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**From:** "Brandon Kirk" <brandon.kirk@polaris.com>**To:** [REDACTED]**Sent:** Friday, September 28, 2012 8:15:06 AM**Subject:** RE: Automatic reply: help

Not recently, just make sure you flow all communications through Destination if you or your friend need to get service. If Monty needs to get involved, he can view all the cases through Destination if something is not being resolved directly with the dealer. Destination can help you with any regular service or warranty if your friend is under an ESC.

Regards,

Brandon

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**From:** [REDACTED]**Sent:** Friday, September 28, 2012 8:09 AM**To:** Brandon Kirk**Subject:** Re: Automatic reply: help

BRANDON Did you hear from Monty?

[REDACTED]

3 of 9

**From:** "Brandon Kirk" <brandon.kirk@polaris.com>  
**To:** [REDACTED]  
**Sent:** Monday, October 22, 2012 7:19:59 AM  
**Subject:** RE: Automatic reply: help

[REDACTED]

I tried finding the case file but had no luck. I forwarded your email on to Consumer Service. They should be contacting you within the next week.

Thanks,

Brandon

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**From:** [REDACTED]  
**Sent:** Saturday, October 20, 2012 5:20 PM  
**To:** Brandon Kirk  
**Subject:** Re: Automatic reply: help

Brandon, to date I have heard nothing about what Victory will do for me. I had Destination open up a work file for me as you suggested as to my problems. These problems that seem to creep up on me is, I believe, is due to either inferior materials, and/or poor workmanship.

To sum things up, so far they are:

While going 80-85 mph, the small ball on the bottom of my kick stand just came off. It could have hit my friend, who was riding behind me, and was like a bullet being fired, hit him, and he would have been history. When a welder looked at it, for me, he said that it was a poor weld. There were spots that he said were contaminated and made poor connection.

The back of my front fender came loose where it rests on some bolts from the forks. Then they jammed into the molding that goes around the front fairing. If that had happened while I was on a highway, well you know what would have happen. Since it was fixed by Powersports of LA, and they were not going to due it for less than what the book says to charge, they did give me a break, I am out of pocket \$118.43.. Now this is something that never should have happened. As the dealer told me, while he was working on my bike, this was very poor deficiency in the materials. I am sure I cannot be the only one that this has happened to. Maybe the NHSTA should be notified. This is a hazard, that just is waiting for a deadly accident to happen.

Also just below the hinges of the door covering the gas filler pipe cracked straight through.

These problems I have been experiencing, are in my opinion, due to poor product design or workmanship. They are not due to normal wear

Again thank you for your help. Please have Monty call me if I can help process this claim. All I want is Victory to stand behind its product, and it should not cost me.

As always, thanking you all in advance.

[REDACTED]

40/9

Sat, Nov 10, 2012 09:56 AM

**From :** [REDACTED]

**Subject :** Re: Automatic reply: help

**To :** Brandon Kirk <brandon.kirk@polaris.com>

No one has contacted to date. Spoke to Destination, and I personally saw Service set up a file. Please chech again.

[REDACTED]

50/9

Sat, Dec 01, 2012 02:08 AM

**From:** [REDACTED]  
**Subject:** Re: Automatic reply: help  
**To:** Brandon Kirk <brandon.kirk@polaris.com>

Brandon, I have been in constant contact with Destination. To date, neither they nor I have been contacted by Monty, or anyone else at Victory. It seems as though they have fallen off the face of the earth. Why has not anyone contacted me by now. Before you guys were very helpful in getting my VIC's problems corrected, and at no or very little cost to me eg the covering on my seat separating at the seam.

Please can someone get my new problems corrected/reimbursed where I had paid to just replace a part that is an unsafe design. If you read the VOG site more and more people are having the same problems. Someday someone is going to get killed when the front wheel locks up. All I am asking is to be reimbursed for the money I had to pay for thr the back of the front fender, and the cost of a kick stand and springs and of course labor. The ball on the bottom of the kick stand just flew off. If and when Victory corrects the problem, at that time I would like to discuss replacing the items, that I feel are a danger, with better parts. I keep my bikes for a long time. I like my Vic Vision, and if these problems are addressed, I most certainly would buy another Vision, in the future. Albeit from Destination.

May I please hear from you, Monty, or anyone you want to correct the problems. You have to agree that enough time has gone by without any contact from your higher ups.

[REDACTED]

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**From:** [REDACTED]  
**To:** "Brandon Kirk" <brandon.kirk@polaris.com>  
**Sent:** Saturday, November 10, 2012 4:56:58 AM  
**Subject:** Re: Automatic reply: help

No one has contacted to date. Spoke to Destination, and I personally saw Service set up a file. Please chech again.

[REDACTED]

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**From:** "Brandon Kirk" <brandon.kirk@polaris.com>  
**To:** [REDACTED]  
**Sent:** Monday, October 22, 2012 7:19:59 AM  
**Subject:** RE: Automatic reply: help

[REDACTED]

I tried finding the case file but had no luck. I forwarded your email on to Consumer Service. They should be contacting you within the next week.

Thanks,

Brandon

60/9

**From:** [REDACTED]  
**Sent:** Saturday, October 20, 2012 6:20 PM  
**To:** Brandon Kirk  
**Subject:** Re: Automatic reply: help

Brandon, to date I have heard nothing about what Victory will do for me. I had Destination open up a work file for me as you suggested. as to my problems. These problems that seem to creep up on me is, I believe, is due to either inferior materials, and/or poor workmanship.

# Loewer Powersports & Equipment

5909 Coliseum Boulevard  
Alexandria, LA 71303-  
1-318-487-9495

# Repair Order

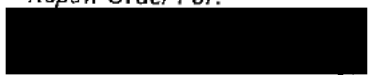
7099

R/O Number: 60486  
Date In: 9/13/2012 Today Date: 9/13/2012  
Date Promised: 9/13/2012 Date Closed: 9/13/2012

Repair Order For:

Unit Name:

Location:



FT MYERS, FL

h:

47,238 MILES

**Units for this Repair Order**

Service Writer: BRIAN FRANKLIN

Year	Make	Model	VIN / Serial No.	Color	Plate	Key Board	Miles
2008	VICTORY	VISION	5VPSD36D383				

**Job: FENDER**

Job For: 2008 VICTORY VISION 5VPSD36D383

**Description**

**Parts**

Part Number	Quantity	Description	Each Price	Extension
5436458	1	FENDER-FRONT, REAR HALF	\$77.19	\$77.19
<b>Parts Subtotal</b>				<b>\$77.19</b>

**Labor**

Description	Job Code	Technician	Quantity	Line Total
		JS2	0.5 Hours	\$29.95
<b>Labor Subtotal</b>				<b>\$29.95</b>

**Recommendations**

**Resolution**

REPLACED FRONT OUTER FENDER HALF

WILL LOEWER  
OWNER

Job Subtotal \$107.14

**Customer Job Totals**

Parts	\$77.19
Labor	\$29.95
<b>Total of Customer Jobs</b>	<b>\$107.14</b>



**Jeremy Cearley**  
Parts & Accessories

www.loewerpowersports.com

5909 Coliseum Blvd. • Alexandria, LA 71303  
(318) 487-9495 • Fax: (318) 445-1086 • (800) 349-9495

**Powersports**

HONDA  
YAMAHA  
KAWASAKI  
POLARIS  
VICTORY

**Equipment**

KUBOTA  
HONDA  
TORO  
STIHL  
LAND PRIDE

WILL LOEWER  
OWNER  
WAS THE MECHANIC  
ON MY BIKE.

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Other Charges	
Shop Supplies	\$1.50
<b>Repair Order Subtotal</b>	<b>\$108.64</b>
Discounts Given	
Parts Discount	\$19.30
Sales Tax	\$9.79
<b>Repair Order Total</b>	<b>\$118.43</b>
Previous Deposits	\$118.43
<b>Total Amount Due</b>	<b>\$0.00</b>

AUTHORIZATION \_\_\_\_\_

THANK YOU FOR TRUSTING LOEWER POWERSPORTS & EQUIPMENT TO TAKE CARE OF YOUR MAINTENANCE AND REPAIR NEEDS!

Visit us online at [www.loewerpowersports.com](http://www.loewerpowersports.com)!

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# Loewer Powersports &

5909 Coliseum Boulevard  
Alexandria, LA 71303-  
1-318-487-9495

## Repair Order Deposit

R/O Number: 60486  
Ticket Number: 20573001  
Cashier: BRIAN FRANKLIN  
Date: 9/13/2012

**Customer**

[REDACTED]

FT MYERS, FL [REDACTED]  
h [REDACTED]

Method Of Payment: Visa/Mstr  
Payment Amount: \$118.43  
Description  
Notes:

*AMEX*

Sale Approved.

9/13/2012 12:41:34 PM