

From: [Wells, Cynthia CTR \(NHTSA\)](#)
To: [Nelson, Carla CTR \(NHTSA\)](#)
Subject: FW: NHTSA: Follow up to ODI Complaint: 10548204
Date: Tuesday, October 29, 2013 10:04:51 AM
Attachments: [Dillon Harley Complaint.docx](#)

From: EVOQ (NHTSA)
Sent: Monday, October 28, 2013 3:13 PM
To: Wells, Cynthia CTR (NHTSA)
Subject: FW: NHTSA: Follow up to ODI Complaint: 10548204

Kristin Berry
BLF Technologies Inc. on assignment with
National Highway Traffic Safety Administration Dept. of Transportation
NVS-200; W48-212
Kristin.berry.CTR@dot.gov
202-366-0699

From: [REDACTED]
Sent: Monday, October 28, 2013 12:37 PM
To: EVOQ (NHTSA)
Subject: Re: NHTSA: Follow up to ODI Complaint: 10548204

Date of Purchase: 08282013
Dealer Name: Dillon Brothers Harley-Davidson
Twin cylinder, fuel type is gas, 6 speed manual Transmission, antilock brakes, cruise control, belt driven, multiple failures.
See Attachment

On Monday, October 28, 2013 9:41 AM, "EVOQ@dot.gov" <EVOQ@dot.gov> wrote:

COMPLAINT ACTIVITY REPORT Case # 300097428 Better Business Bureau**Consumer Info:**

██████████
 Arlington, NE ██████████
 ██████████

Business Info: Dillon Brothers Harley-Davidson

17402 W Maple Rd
 Omaha, NE 68116
 402 289-5556

Location Involved: (Same as above)

Consumer's Original Complaint :

I purchased a new Harley Davidson from Dillon Brothers Harley Davidson and the motorcycle was delivered with a major safety defect, rear brakes inop. On 08282013 I purchased a new Harley Davidson Ultra Limited from Dillon Brothers Harley Davidson in Omaha at 174th & Maple St., for \$21,000. On 08282013 shortly after purchasing the motorcycle, I had ridden a few blocks away from the dealership when I observed the lower panel covers falling off. I slowed down, and pulled to the side of the road to fix the panel cover and realized that the rear brakes were inoperative. I continued home thinking that it was due to the brakes being new and needing to be utilized a few times. I attempted to utilize the rear brakes a few more times and it was evident that they were not working at all. Upon arrival at my residence I called the salesman and advised him of the problem with the panel cover and brakes. The salesman stated it could be taken care of at the first service. I'm an experienced motorcycle rider and certified instructor who teaches the most important skill to maintain is emergency braking. I was not comfortable with riding 1000 miles without rear brakes and decided to take the motorcycle back on 09042013 with approximately 100 miles. Dillon Brothers Harley Davidson fixed the lower panel covers but stated I needed to setup an appointment for the rear brakes. The earliest appointment they had to look at the brakes was on 09092013. I was able to setup an appointment with the Dillon Brothers Harley Davidson in Fremont on 09052013 to check the brakes at 136 miles. I was advised that bubbles in the brake line prevented the brakes from working and the brakes were bleed. The test ride by the dealership involved exceeding the break in recommendations for rpm's, and braking, thus resulting in unnecessary and premature wear and tear of the engine and brakes. After bleeding the rear brakes, I was able to get the rear brakes to work, however it required leg pressing the brake pedal. The problem was not fixed and I kept the appointment for 09092013 with approximately 200 miles on the motorcycle. The reason I'm using approximates for mileage, is because neither dealership provided me with a work order. I have just over 400 miles on the motorcycle and the brakes still do not work properly. I normally utilize the rear brakes for the final stop, however the rear brakes will not stop the motorcycle even at slow speeds without a leg press. The rear brakes will not hold the motorcycle on an incline without a leg press. I was advised by the service representative that I'm probably not use to ABS. I'm very familiar with ABS which only comes into play when you're at threshold braking. I'm also very aware that a beginner rider who thinks that the rear brake is the primary or only brake, could have been killed if they sold him this motorcycle.

Consumer's Desired Resolution:

Since the dealership does not have the expertise to fix the problem, or is unwilling to do so in a timely manner, I'm requesting that they either replace the motorcycle or refund my \$21,000. I purchased a new motorcycle because I didn't want unknown problems. I don't want to wait for weeks or months while they try to figure it out.

BBB Processing

09/27/2013 web BBB Case Received by BBB
 09/27/2013 PH BBB Case Reviewed by BBB
 09/27/2013 Otto EMAIL Send Acknowledgement to Consumer
 09/27/2013 Otto MAIL Notify Business of Dispute
 10/01/2013 WEB BBB RECEIVE BUSINESS RESPONSE : Contact Name and Title: Mike Bischof - GM

Contact Phone: 402-289-5556

Contact Email: mikeb@dillonharley.com

Mr. ██████████ did have a mechanical issue with his brakes. It became more evident after riding his bike and then immediately riding another out of our inventory. Dillon Brothers discovered there was an air pocket in the ABS module and fixed the problem.

Based on the issues Mr. ██████████ had with the 2013 motorcycle, he decided he'd rather have a different new bike. We offered to pay \$1249 more than the original purchase price toward a 2014 model. We also offered to pay the difference in sales tax on the 2014 model.

Mr. ██████████ signed paperwork and took possession of the 2014 Ultra on 9/30/13. Mr. ██████████ is a very skilled motorcycle operator, and we should have done a better job diagnosing what he was experiencing. We will learn from this experience and seek to perform better the next time.

10/02/2013 nanc EMAIL Forward Business response to Consumer

10/02/2013 nanc BBB BBB REVIEWS CONSUMER REBUTTAL TO BUSINESS RESPONSE : On 09302013 I spoke with Tom, the General Manager of the Omaha Dillon Brother Harley Davidson, regarding this complaint. Tom requested that I bring the motorcycle listed in this complaint to the dealership to allow his mechanics to continue trying to resolve the problem. I advised Tom that the motorcycle has been to his dealership 3 times for the same problem. A problem that existed before I took delivery of the motorcycle and a problem that is a major safety issue. I advised Tom that I wanted him to trade the motorcycle for the same type or give me my money back. Tom advised me that he no longer had any 2013 motorcycles and I would have to pay additional money for a 2014 model. I advised Tom that when I purchased the motorcycle listed in the complaint, I observed a 2014 Ultra that was priced less than the 2013 Limited I purchased. I advised Tom again that I had no desire to pay additional money or keep the current motorcycle because it shouldn't have been sold in that condition. Tom stated that my original salesman would be in the dealership around noon and that I should arrive around that time. I took the motorcycle to the dealership around noon and met with Scott, another manager. Scott took the motorcycle listed in the complaint on a test ride and had his service manager Chuck take the motorcycle on a test ride. Both verified that the brakes were not working properly. Scott and Chuck advised Tom that the brakes were not working properly and Chuck stated he would attempt to find the cause of problem. Tom stated that his only obligation was to fix the motorcycle listed in the complaint and he wasn't willing to trade me even. Tom stated he gave me a good deal on the complaint motorcycle and would give me that amount in trade. I advised Tom that my trade was a factor in the price and that he knows my trade was worth more than he put on paper. Tom stated that the previous deal was not a factor any longer, and again his only obligation was to fix the complaint motorcycle. It was obvious that the dealership didn't care about selling me the motorcycle with a safety defect and placing my life in danger. I realized I had a choice of being stuck with a possible lemon or paying an additional \$2500 to ensure my safety. Therefore, I paid an additional \$2500 to trade for a motorcycle that was priced less. I feel this was a less than satisfactory manner to resolve the problem and promote a good business customer relationship.

10/02/2013 nanc MAIL Forward Consumer Rebuttal to Business

10/02/2013 BBB MORE INFO RECEIVED FROM THE CONSUMER : The response by Dillon Brothers Harley Davidson regarding the sales pricing is inaccurate. Therefore I feel it's important to go into greater detail and be more specific regarding the pricing of the 2 motorcycles. The price of the 2013 Ultra Limited which was sold to me defective was \$24,199. The price of the 2014 Ultra which replaced the 2013

Ultra Limited was \$23,249, which is \$950 less. Dillon Brothers Harley Davidson stated they gave me more than I paid for the defective motorcycle. This is known in the sales business as "the pencil game." The dealership manipulates the figures to make it appear they are giving the customer a great deal, but are actually taking advantage of the customer. The bottom line is that I purchased a motorcycle costing \$950 less and paid \$2500 more because I didn't want to be stuck with a lemon. I wish the dealership understood that braking 10 feet sooner could make the difference between living or dying. They can manipulate the figures as much as they want, but the dealership placed my life in danger and cashed in on my need to feel safe when riding.

10/03/2013	nanc	MAIL	Forward additional information to business
10/14/2013	OttO	BBB	No Response from Business re: Consumer Rebuttal
10/14/2013	nanc	BBB	Bureau Judged Case AJR
10/14/2013	Otto	EMAIL	Inform Consumer - Case ADMINISTRATIVELY CLOSED
10/14/2013	Otto	MAIL	Inform Business - Case ADMINISTRATIVELY CLOSED
10/14/2013	Otto	BBB	Case ADMINISTRATIVELY CLOSED
10/21/2013		BBB	MORE INFO RECEIVED FROM THE BUSINESS : Business supplied email: mikeb@dillonharley.com

Use this address for any contact with the Better Business Bureau