


INFORMATION Redacted PURSUANT TO THE FREEDOM OF

INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

 <p>U.S. Department of Transportation National Highway Traffic Safety Administration</p>		<p>DOT Auto Safety Hotline</p> <p>Vehicle Owner's Questionnaire To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline</p>		<p>FOR AGENCY USE ONLY 100148</p>	
<p>OWNER INFORMATION (Type or Print)</p>				<p>Date Received</p> <p>28-JUL-2015</p>	<p>Repository <input type="checkbox"/></p> <p>Reference No. 10744195</p>
<p>Name [REDACTED]</p>				<p>Daytime Telephone Number [REDACTED]</p>	<p>Email Address [REDACTED]</p>
<p>Address [REDACTED]</p>				<p>Evening Telephone Number</p>	
<p>City</p> <p>RENSELAER</p>	<p>State</p> <p>NY</p>	<p>Zip Code [REDACTED]</p>			
<p><i>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).</i></p>					
<p>VEHICLE INFORMATION</p>					
<p>17 digit Vehicle Identification Number Located at bottom of windshield on driver's side</p> <p>5VPHB26D25 [REDACTED]</p>		<p>Make</p> <p>VICTORY</p>	<p>Model</p> <p>HAMMER</p>	<p>Model Year</p> <p>2005</p>	
<p>Date Purchased</p> <p>9-13-2005</p>	<p>Dealer's Name and Telephone Number</p> <p>ZACK'S V-TWIN CYCLE 845-229</p>		<p>Engine:</p> <p>No: Cylinders</p> <p>2</p>	<p>Fuel Type:</p> <p>GAS</p>	
<p>Original Owner</p> <p><input checked="" type="checkbox"/></p>	<p>Dealer's City</p> <p>HYDE PARK</p>	<p>State</p> <p>NY</p>	<p>Zip Code</p> <p>12538</p>		
<p>Transmission Type</p> <p><input type="checkbox"/> Antilock Brakes</p> <p><input type="checkbox"/> Cruise Control</p>	<p>Powertrain</p>		<p>Multiple Failure: CLUTCH AND TRANSMISSION</p>		<p>Incident Date(s)</p> <p>15-JUL-2015</p>
<p>FAILED COMPONENT(S)/PART(S) INFORMATION</p>					
<p>Vehicle Component Codes: ENGINE (PWS), 980000 UNKNOWN OR OTHER, FUEL/PROPULSION SYSTEM (PWS)</p>				<p>Failure Mileage</p> <p>5330</p>	<p>Failure Speed</p> <p>30X</p>
<p>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</p>					
<p>Tire Make</p>		<p>Tire Model (Name or Number)</p>		<p>Tire Size (Example P215/65R15)</p>	
<p>DOT No. (Example: DOTM19ABC036)</p>		<p><input type="checkbox"/> Original Equipment <input type="checkbox"/> Prior Repair</p>		<p>Failure Location:</p>	
<p>Tire Component Code</p>				<p>Tire Failure Type:</p>	
<p>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</p>					
<p>Make:</p>		<p>Date Manufactured:</p>		<p>Model No./Name:</p>	
<p>Seat Type:</p>		<p>Installation System:</p>			
<p>Child Seat Component Code:</p>		<p>Failed Part:</p>			
<p>APPLICABLE INCIDENT INFORMATION (Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)</p>					
<p>Crash</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Fire</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Number of Persons Injured</p> <p>0</p>	<p>Number of Deaths</p> <p>0</p>	<p>Reported to Police</p> <p>N</p>	
<p>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).</p>					
<p>THIS IS A VICTORY MOTORCYCLE. WHEN DOWNSHIFTING TO ARRIVE AT A LIGHT I HEARD A CLUNK IN THE TRANSMISSION AREA. SHIFTING BECAME IMPOSSIBLE WITHIN A FEW MINUTES. THE MOTORCYCLE WAS TOWED TO A VICTORY DEALER IN HARRISONBURG, VA AND 2 WEEKS LATER I WAS INFORMED THAT ONE OF THE SHIFT FORK BROKE AND FELL INTO THE TRANSMISSION AND GROUND UP 2 GEARS. ALSO INFORMED THAT THE CLUTCH WAS BURNED. ALTHOUGH THIS MOTORCYCLE IS 10 YEARS OLD, IT ONLY HAD 5330 MILES ON IT AND WAS REGULARLY SERVICED. FROM MY UNDERSTANDING SHIFT FORKS DO NOT JUST BREAK. I BELIEVE EITHER THE PART WAS DEFECTIVE OR THE DESIGN WAS DEFECTIVE. THIS IS A VERY DANGEROUS CONDITION AS THE MOTORCYCLE WOULD HAVE LOCKED UP AND THROWN ME OFF IF THE BREAK HAD OCCURRED WHILE I WAS MOVING AT REGULAR HIGHWAY SPEED. PLEASE INVESTIGATE THIS DANGEROUS PART AND CONDITION. THANK YOU. ## VIN PASSED ## VICTORY HAMMER 2005 ##</p>					
<p>Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.</p>			<p>ATTACH ADDITIONAL SHEETS IF NECESSARY</p>		
<p>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 to 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.</p>					

From: [Wells, Cynthia CTR \(NHTSA\)](#)
To: [Abbew, Margaret CTR \(NHTSA\)](#)
Subject: FW: NHTSA: Follow up to ODI Complaint: ----10744195-----
Date: Tuesday, September 08, 2015 11:15:08 AM
Attachments: [2015-09-02 Follow up complaint 10744195.pdf](#)

From: Williams, Maritza CTR (NHTSA) **On Behalf Of** DataQuality, DataQuality (NHTSA)
Sent: Tuesday, September 08, 2015 10:54 AM
To: Wells, Cynthia CTR (NHTSA)
Subject: FW: NHTSA: Follow up to ODI Complaint: ----10744195-----

Questionnaire.

Maritza L. Marshall-Williams
BLF Technologies Inc.
on assignment with National Highway Traffic Safety Administration,
Dept. Of Transportation
W48-204
maritza.williams.ctr@dot.gov
Ph: 202-493-0317
Fax: 202-366-3081

From: [REDACTED]
Sent: Tuesday, September 01, 2015 11:27 PM
To: DataQuality, DataQuality (NHTSA)
Subject: NHTSA: Follow up to ODI Complaint: ----10744195-----

I am attaching the additional information requested with changes and corrections along with photos and a copy of letter.
Please investigate this motorcycle failure. I was very lucky not to be seriously injured as the failure occurred as I was slowing down. Other Victory motorcycle riders may not be as lucky and will be seriously injured or killed.

Thank you

[REDACTED]

I purchased a new 2005 Victory Hammer from a Victory dealer in 2005 and obtained a 4-year extended warranty. Because I own several motorcycles over the years, I only rode an average of 500 miles per year with the Victory. The Victory dealer, as per the Victory requirements, did all regular service. This is a cruiser bike and it was never abused, damaged, raced or mishandled in any way. I always used high-octane gas (92 or 93).

In July 2015, I left my house with the Victory for its first extensive trip (new tires and oil & filter changed at 4485 miles in May 2014). The odometer showed 4867 miles. First day was fine and stopped after 427 miles. Bike was running fine all day. Second day after about 16 miles, when downshifting to arrive at a light I heard a louder than usual clunk in the transmission area. Shifting became impossible within a few minutes. Transmission was making all kinds of grinding noises.

Eventually, the motorcycle was towed to a Victory dealer in Harrisonburg, VA and 2 weeks later I was informed that one of the shift fork broke (see attached photo) and fell into the transmission and ground up 2 gears (see other attached photo). I was also informed that the clutch was burned.

Although this motorcycle is 10 years old, it only had 5310 miles on it and was regularly serviced. This does not seem like normal wear and tear to me. From my understanding shift forks do not just break. I can only conclude that **either the part was defective or the design was defective**. The photo also shows a crack on the lower part of the broken shift fork. The estimated cost of repair is more than 50% of the current value of the motorcycle. Of course, Victory/Polaris refuses any responsibility and refuses any contribution towards parts or labor. The bike is just “too old regardless of mileage”

What causes a shift fork to brake and what can I do in the future to prevent a break or even be aware of the problem?

Thank you.



2 photos attached





From: **Valley Motorsports** >

Hide

To: [REDACTED]

Estimate

July 30, 2015 at 9:29 AM

VALLEY MOTORSPORTS, INC. 195 EAST MOSBY ROAD HARRISONBURG, VA 22801 (540) 433-0232 <small>POLARIS</small>		RECEIVED P.M. 7/16/15 ORDER WRITTEN BY R.H. R.O. No. [REDACTED]																									
PLACE [REDACTED] RENSSELAER, NY [REDACTED]		PROMISED DEALER COST PHONE WHEN READY <input type="checkbox"/> YES <input type="checkbox"/> NO YEAR MAKE MODEL LICENSE MILEAGE 5310 PHONE NUMBERS HOME BUSINESS FRAME NUMBER ENGINE NUMBER																									
MATERIAL USED				INSTRUCTIONS																							
QTY	PART NUMBER	DESCRIPTION	PRICE																								
1	5135886	shiel fork (CS)	114.99	5VPHB26D253																							
1	6230400	4th gear (ms)	87.99																								
1	6230296	4th gear (CS)	184.99	Est. Damage																							
1	5246077	clutch kit	59.99																								
1	5246481	clutch kit	47.13																								
1	2202434	clutch kit	428.99																								
1	5830227	Gasket	46.99	3410 4260 5035																							
2	5830202	Gasket 18.99	37.98																								
1	5830227	Gasket	40.99	Case # [REDACTED]																							
2	2202441	Ring set 72.99	145.98	labor put together = 680.00																							
2	5249360	Gasket 31.99	63.98																								
2	5244365	Gasket 28.99	57.98	Parts 1299.79																							
2	5246008	Gasket 18.99	37.98	labor Now 382.84																							
1	2540086		12.99	Tax 68.89																							
4	ats oil	10.99	43.96																								
NOT RESPONSIBLE FOR LOSS OR DAMAGE TO MOTORCYCLES OR ARTICLES LEFT ON OR IN MOTORCYCLE IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL.				Total = 2431.52																							
I hereby authorize the repair work to be done along with the necessary material, and hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto. Dealer not responsible for unavailability of parts or delays in parts shipments beyond dealer's control.				CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY HEREOF																							
				<table border="1"> <thead> <tr> <th colspan="2">CUSTOMER PAYS</th> </tr> </thead> <tbody> <tr><td>FREIGHT</td><td></td></tr> <tr><td>PARTS</td><td></td></tr> <tr><td>ACCESSORIES</td><td></td></tr> <tr><td>LABOR</td><td></td></tr> <tr><td>OUTSIDE LABOR</td><td></td></tr> <tr><td>STATE INSPECTION</td><td></td></tr> <tr><td>PICK UP CHARGE</td><td></td></tr> <tr><td>TIRE TAX</td><td></td></tr> <tr><td>TAX</td><td></td></tr> <tr><td>TOTAL</td><td></td></tr> </tbody> </table>		CUSTOMER PAYS		FREIGHT		PARTS		ACCESSORIES		LABOR		OUTSIDE LABOR		STATE INSPECTION		PICK UP CHARGE		TIRE TAX		TAX		TOTAL	
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