

CL-10875132-4145

June 2, 2016

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Administrator, NHTSA

1200 New Jersey Avenue, SE

JUN 13 2016

West Building

Washington, DC 20590

Sir/Madam

Re: Safety Defects on the 2016 Polaris Slingshot

This matter is being reported to you in accordance with the guidelines suggested in the owner's manual for my new 2016 Polaris Slingshot.

I understand that you have no means to get involved in individual matters between customers, dealers and manufacturers; however, this dangerous & unsafe matter of a "sliding driver's seat" warrants your attention.

Copies of my correspondence with the dealer and the manufacturer are enclosed for your review. Specific details as to the car's VIN #, etc. are available on the attached documentation.

Should you wish to discuss this matter further, I can be reached at any of the numbers below.

Kind regards,

[REDACTED]

[REDACTED]

Fonthill, ON CANADA [REDACTED]

[REDACTED]

NAM
61716
SMD

1174 SOUTH SERVICE RD. WEST, OAKVILLE, ON L6L 5T7
TEL: 905-681-7270 FAX: 905-681-1697

NEW VEHICLE BILL OF SALE

DAY	MONTH	YEAR
03	09	15

PURCHASER'S INFORMATION				VEHICLE INFORMATION				
PURCHASER'S NAME		PURCHASER'S ADDRESS		YEAR	MAKE	MODEL	TRIM LEVEL	COLOUR
				16	POLARIS	SLINGSHOT		BLACK
CITY/TOWN		PROVINCE		V.I.N. # (IF KNOWN)				
Fonthill		Ont		5 7 X A A S F A 2 G 7				
HOME TELEPHONE NO.		BUSINESS TELEPHONE NO.		NEW VEHICLE ☒ USED (DEMO) ☐		MAXIMUM DISTANCE TRAVELLED OR DELIVERY (IF KNOWN)		PURCHASER'S INITIALS (IF DISTANCE UNSPECIFIED)
				X X		0		
DRIVER'S LICENCE NO.		EXPIRY DATE		DELIVERY DATE		DETAILS OF DELIVERY		MANUFACTURER'S WARRANTY IN-SERVICE DATE
				3/9/15				N/A
E-MAIL ADDRESS				BASIC VEHICLE AND OPTIONS				TERMS OF SETTLEMENT
INSURANCE INFORMATION				BASIC VEHICLE (MSRP)				TOTAL SALE PRICE
NAME OF INSURANCE COMPANY				OPTIONS (MSRP)				FREIGHT
POLICY NO. EXPIRY DATE								AIR TAX
INSURANCE AGENT & PHONE NO.								EXTENDED WARRANTY
VEHICLE TO BE TRADED-IN								ADMIN
YEAR MAKE MODEL TRIM LEVEL COLOUR								
V.I.N. #								
EXACT DISTANCE THAT THE VEHICLE HAS TRAVELLED								
☐ KMS. ☐ MILES								
H.S.T. REGISTRANT / REGISTRATION No.								SUB-TOTAL
IS THERE A LIEN AGAINST THIS VEHICLE? ☐ YES ☒ NO								DEDUCT TRADE-IN ALLOWANCE (IF ANY)
LIEN HOLDER AMOUNT \$								NET DIFFERENCE
COMMENTS								HST REGISTRANTS ONLY H.S.T. ON SUB-TOTAL
Identify any items, inducements or specific repairs included in the sale price and indicate retail value of items or inducements								HST NON-REGISTRANTS ONLY H.S.T. ON NET DIFFERENCE
								TIRE TAX
								OMVIC FEE
								PAYOUT LIEN ON TRADE-IN
								HST REGISTRANTS ONLY DEDUCT H.S.T. PAYABLE ON TRADE-IN
								REBATE
								SUB-TOTAL
								DEPOSIT: ☐ CASH ☐ CREDIT CARD
								PAYABLE ON DELIVERY (CERTIFIED FUNDS ONLY)
								INSURANCE: ☐ LIFE ☐ LOSS OF INC.
								INSURANCE: ☐ DISABILITY ☐ OTHER
								R.S.T. ON INSURANCE
								LIEN REGISTRATION FEE
								BALANCE FINANCED SUBJECT TO APPROVAL
								NET AMOUNT TO BE FINANCED
								COST OF BORROWING 0.0%
								TOTAL BALANCE DUE
MANUFACTURER PARTICIPATES IN CANADIAN MOTOR VEHICLE ARBITRATION PLAN (CAMVAP) ☐ YES ☐ NO				TERMS OF FINANCING				
CAMVAP STATEMENT ON REVERSE (NOT ALL VEHICLES QUALIFY)				AMOUNT OF PAYMENTS \$0.00 NO. OF PAYMENTS 1				
PAYMENTS START ON 03/10/2015 CREDIT APPROVAL								
By signing this contract you consent to the dealer contacting you in the future and to the sharing of information with associated businesses so that they may provide you with timely information about their services. You may withdraw your consent in writing at any time.				CUSTOMER HAS RECEIVED THE FINANCING DISCLOSURE STATEMENT FROM THE LENDING INSTITUTION.				
SALESPERSON SIGNATURE				WILL THE DEALER OR SALESPERSON RECEIVE ANY INCENTIVE FOR THE FINANCING OF THIS VEHICLE? ☐ YES ☐ NO				
SALESPERSON'S NAME (PLEASE PRINT) Gary Lockington (GARY)				PURCHASER'S INITIALS				
REGISTRATION NO. N/A								
SALESPERSON'S SIGNATURE				EXTENDED WARRANTY				
VENDOR'S ACCEPTANCE				IS THERE AN EXTENDED WARRANTY ON THIS VEHICLE? ☐ YES ☒ NO				
DEALER REGISTRATION NO. 4998548				IF YES, COMPLETE THIS SECTION.				
NAME OF OFFICIAL (PLEASE PRINT) Gary Lockington				0 MONTHS OR (WHICHEVER COMES FIRST) KM				
ACCEPTOR'S REGISTRATION NO. 4998548				DETAILS N/A				
DATE 04/27/16				SALES FINAL Please review the entire contract, including this contract, before signing. This contract is final and binding once you have signed it to comply with certain legal obligations.				
ACCEPTOR'S SIGNATURE				Purchaser's Signature: X				
THIS OFFER IS NOT BINDING UNLESS ACCEPTED BY VENDOR				Co-Signer's Name (Print)				
				Co-Signer's Signature				

SAFETY

Gross Vehicle Weight Rating (GVWR)

WARNING! Exceeding the gross vehicle weight rating of your vehicle can reduce stability and handling and could cause loss of control. NEVER exceed the GVWR of your vehicle.

The *maximum load capacity* of your vehicle is the maximum weight you may add to your vehicle *without exceeding the GVWR*. This capacity is determined by calculating the difference between your vehicle's GVWR and wet weight. Refer to the specifications section beginning on page 84.

Refer to the specification section of this manual or the Manufacturing Information/VIN label on the vehicle frame for model-specific information. See page 15.

When determining the weight you will be adding to your vehicle, and to ensure you do not exceed the maximum load capacity, include the following:

- operator body weight
- passenger body weight
- weight of all riders' apparel and items in or on apparel
- weight of any non-factory-installed accessories
- weight of any additional cargo on the vehicle

Reporting Safety Defects

If you believe that your vehicle has a defect that could result in a crash or cause injury or death, you should immediately inform the National Highway Traffic Safety Administration (NHTSA) in addition to notifying POLARIS Industries in writing.

If NHTSA receives similar complaints, it may open an investigation, and if it finds that a safety defect exists in a group of vehicles, it may order a recall and remedy campaign. However, NHTSA cannot become involved in individual problems between you, your dealer or POLARIS Industries.

To contact NHTSA, or obtain other information about motor vehicle safety, you may either call the Vehicle Safety Hotline toll-free at 1-888-327-4236 (TTY: 1-800-424-9153), visit the NHTSA website at www.safercar.gov, or write to:

ADMINISTRATOR, NHTSA
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

Safety and Inform

Labels are model-specific shown.

1. Manufacturing Information (on frame near driver's side) Standard) Label (Canada)
2. Vehicle Emission Control
3. Evaporative Hose Routing
4. Service Information Label
5. Tire Information Label (Canada)
6. Frontal Crash (CMVSS 208)
7. Operation Warning Label

GVWR Information

Tire & Wheel Information

MANUFACTURED BY: POLARIS INDUSTRIES INC.			
GVWR: 2100 LBS (907 KG)			
	GVWR	TIRE	R
F:	1321 LBS (599 KG)	205/50 R17 83W	17
R:	879 LBS (398 KG)	265/30 R16 83W	16
THIS VEHICLE CONFORMS TO ALL APPLICABLE VEHICLE SAFETY STANDARDS IN EFFECT ON THE MANUFACTURE SHOWN ABOVE			
VIN:	*57XAASF5F501		
TYPE: MOTORCYCLE			

GAWR Information

CMVSS 208 Warning

This vehicle does not conform to Canada CMVSS 208.

Ce véhicule n'est pas conforme par la NSVAC 208 du Canada.

May 24, 2016

Polaris Industries Inc.,

2100 Highway 55

Medina, Minnesota

USA 55340

Sir/Madam:

Re: A woeful and unacceptable tale of ineffectiveness & abuse

Before proceeding further, the reader is urged to understand that as a course of my occupation, these detailed notes were made at the time of the events they reflect. Copies of my hand written notes will be made available to Polaris at your request.

On Tuesday, May 17th, 45 ½ hours prior to my scheduled service appointment I notified the Service Manager (Teresa Parry of Peak Powersports of Oakville, Ontario Canada) in writing via email of my concerns about the driver's seat sliding out of position while driving. A copy of this email is noted below.

Hello Teresa,

Are we still good for Thursday afternoon at 1:00 pm for an oil change and a new windscreen?

A couple of other issues have popped up in the course of driving the Slingshot for the last week or so.

Most notably, the driver's seat which I have to move forward to drive the vehicle, comes loose while accelerating and the seat flies backwards and I've come close to losing all control - this is very dangerous and three occurrences in less than two weeks suggests we have a very serious issue.

In addition, I've noticed a warning light come on that I am unfamiliar with - it seems to reflect a change in the steering.

*This might be characterized as nuisance, but upon driving at higher speeds, the left side of the front hood seems to be much looser than the right.
It is quite visible.*

Looking forward to getting these issues dealt with.

Regards,

This had occurred on a number of occasions in the weeks after I took possession of the Slingshot on April 27th. For the next eleven days (April 28th to May 8th), I was out of the country and the vehicle was not driven at all.

I explained this to Teresa and that despite driving on only a handful of occasions, the driver's seat slipped out of position while driving and left me, my passenger(s) and the public at large at considerably risk.

Following the service appointment (where the vehicle was in the dealer's possession for approximately three hours), I was informed by Teresa Parry that the technician could not duplicate the issue.

In Repair Order Invoice Number [REDACTED] dated May 19th, there is a description

"COULD NOT RECREATE – TESTED AND LOCKS INTO POSITION WILL START ASK POLARIS CASE"

On my way home from the dealership (a distance of approximately 60 miles) and at much higher speeds, this time while accelerating from 4th to 5th gear at approximately 55 miles per hour, I once again had the dangerous episode of the driver's seat sliding from where I needed it to be (I am five foot 7 inches tall with a 28 inch inseam) all the way to fully extended position. There is nothing quite as exhilarating as this uncontrolled life threatening experience in a vehicle that has less than 700 miles on it on the way home from a service appointment where it should have been repaired.

When I got home, and prior to sending another email to Teresa, I noticed for the first time two scratches on the left side of console near the handle of the parking brake.

I could not honestly say whether these were made by the service technician in his attempts to recreate this sliding seat phenomenon or by myself in my near death experience, but they were not there when I brought the car in for service.

On this same evening at approximately 8:43 pm, I sent the following email to Teresa Parry (including photographs of the scratches).

Note that I have changed the Font to make it easier to read.

Teresa,

Following today's appointment, I must admit I walked away with some disappointment.

Not only was the safety issue with with sliding driver's seat not resolved, but I also noticed two significant and deep scratches on the left side of the centre console near the emergency brake. These were not there before the service appointment.

What did I do to deserve this? I paid for the Slingshot in full. I paid today's service bill in full.

What do I have to show for it? A vehicle with 750 miles on it that is potentially dangerous to drive and a couple of deep scratches to boot.

Despite your mechanic's failed attempts to duplicate the sliding seat problem, I had no such trouble this afternoon experiencing it once again, this time at a higher and even more dangerous speed.

Photos of the scratches are attached. They are approximately 1 cm from each other. The longer of the two is approximately 4 cm long.

This matter is in no way considered closed. I await your response.

The following morning at 8:30 am following a routine drive to my office where the seat stayed in place), I contacted Polaris Head Office at your toll-free number (855-863-2283) and dealt with a young woman by the name of Sherry or Cherie.

I was given a case number [REDACTED] and I asked her if the vehicle was safe to drive? She could not provide an answer, but did commit to call me back.

Before Cherie/Sherry called back, I received a call from Teresa at the dealer (whether in response to my overnight email or prodding by Polaris, I don't know) telling me that she has received permission to do a repair on my vehicle and that she would order a part. When I asked her if I should drive the vehicle, she was non-committal and that they might make arrangements to pick up my Slingshot. She was equally non-committal when I asked about a loaner vehicle.

not be re-created, how does you know what part to order??

At 10:55 am, Cherie/Sherry called me back on my office landline and connected me to Kai, a Polaris Customer Resolution Specialist. It was apparent from the onset, that Kai had reviewed the notes that Cherie/Sherry had made.

Based on his experience, he had never heard of this type of a sliding seat problem. There was a brief moment of humor when I remarked that of the tens of thousands of Slingshots put on the road in the last couple of years, I had effectively "won the lottery" as mine was apparently such a unique circumstance.

Kai re-iterated in no uncertain terms that he would not declare the vehicle "safe to drive as is", nor would he authorize me to rent another vehicle from a third party for my use on our long weekend. At this point, Teresa called me back on my cellphone and confirmed that no loaner vehicle was available, nor would the dealer cover the cost of me renting a vehicle from a third party for my use for the long weekend – the call was accidentally terminated at this point (the cellphone signal in my office is weak).

Still on my landline with Kai, he once again reiterated "that only the dealer can provide a loaner vehicle or authorize a third party rental". As he had no other options available to help me, I asked if could speak to his supervisor. This, he flatly refused to do.

Following this, I called Theresa back at 11:20 am. She did not answer her telephone and I left a message to the effect "that Polaris has put the ball back into her court as they will not authorize a weekend rental, nor will they declare my Slingshot to be safe nor unsafe to drive".

More than 40 minutes passed and still no call back from the dealer. No one seemed to be taking my safety concerns too seriously, so I decided to go for lunch. The notes that follow were written while waiting at the dealership and they been italicized to make it easier to read.

With Kai (Polaris Head Office) unwilling to give me a rental vehicle for the weekend, and also unwilling to put me through to a supervisor, I called the dealer again as (according to Kai) "they were the only ones authorized to give me a vehicle". I could not connect with either Gary (dealer GM) or Teresa (Service Manager) and left a message for Teresa to call me back. More than an hour passed without a call and based on their lack of a timely reply where they didn't seem to take my concerns over safety too seriously, I decided to take the Slingshot for a cross town lunch. The vehicle moved less than 75 yards barely out of the parking garage at my office before the driver's seat slid again. Furious, I called the dealer again from the side of the road. Bounced several times between Gary, Teresa and two receptionists before connecting with Teresa - "I'm doing everything I can" was her oft repeated answer but would not commit to a weekend rental vehicle. I suggested that I was going to report the vehicle to

the NRP (Niagara Regional Police) as potentially unsafe and that should I be killed in an accident in this vehicle in the next few days, that their accident investigation team examine the slipping seat as a possible cause. As a consequence, Teresa finally seemed to understand my concerns. She promised to call back - leaving me on the side of the road. Some fifteen minutes later after conferring with Gary Lockington (the dealership general manager) she offered to install a new seat immediately (assuming it was from another vehicle in inventory. I drove to the dealership where I sit writing these notes).

These next set of notes were written at approximately 5:00 pm upon my return home. Again they are italicized to make it easier for you to read.

Within moments of completing the aforementioned notes, Gary Lockington appeared and told me the Slingshot was ready to go - a surprisingly quick outcome. Instead of being pleased at finally being shown something resembling "service", I was subjected to intense and intimidating abusive dialogue about not treating his employees in the manner that I had. Apparently yelling at his service manager from the side of the road (at a distance of 55 miles) after being repeatedly ignored for 15 minutes minutes is a "no-no" in his books. He felt no such compunction in his treatment of me at a distance of about 3 inches (his face to mine). I understand this confrontation met the definition of assault under the law, but quite frankly, I got my vehicle back somewhat intact and that's enough for now.

The question going forward is, "what will Polaris do following your investigation?"

To summarize: My repeated claims of an unsafe vehicle were unheeded until I contacted Polaris directly. Even then they were not dealt with effectively and I was left with an unpalatable Hobson's choice between not driving my vehicle on a long weekend or driving an unsafe vehicle. No offer of a rental vehicle was made. I was even refused my request to speak with a supervisor.

Shortly after my contact with Kai in your customer resolution department, I finally heard back from Teresa at the dealership and she confirmed that no rental vehicle would be authorized. At that point I informed her of my intent to inform the local police that should I perish in a vehicle accident while waiting for her still yet unspecified repair plan to be made effective, then they should investigate the cause of the accident as possibly being caused by the seat slippage. Only then, did she call me back and say that they would install a new seat as soon as I arrived back at the dealership. The work was completed quickly and that is when I experienced the maltreatment at the hands of Lockington.

This has been a real "Jekyll & Hyde (Hide) experience. Very pleasant process (Jekyll) to buy the vehicle, followed by ineffective treatment on a safety issue (where both at the dealership and the customer resolution personnel, Kai, there seemed to be a concerted effort to "hide" from the problem. With the seat issue finally resolved, and the possibility of some satisfaction still existed, I was subjected further "Hyde" treatment from Lockington.

Needless to say in the three weeks my ownership of your vehicle, I've been subjected to a wide range of experiences. The vehicle is a pleasure to drive, even to buy, but everything since has been a disaster.

Oh, and by the way, the scratches are still there.

I await your reply.

A further twenty-four hours have now passed since this last episode and I thought a further update is in order. With the new seat now installed, no further slipping has occurred. However, in light of the abuse I received at the hands of Gary Lockington, the widespread ineffectiveness and outright failure (both by the dealer and at your toll-free number) to take my safety issues seriously, I want a full investigation conducted by Polaris. No other customers deserve to be treated in the manner I was.

Going forward, I'd like to be kept informed of what tangible actions have been taken to protect Polaris customers and your firm's reputation, and I want these mysterious scratches repaired.

In addition, I would like an "introduction" made to the Polaris dealer General Manager and Service Manager in Tonawanda, New York, where I intend to get my Slingshot serviced in the future.

This complete summary of my experience will be forwarded to Polaris Head Office via email on Monday morning (May 23rd). I have to call your toll-free number to determine to whom it should be sent.

This is getting sadder by the moment. First of all, another 48 hours And several hundred more miles have passed and the seat has not slipped at all. I finally have a safe vehicle to drive.

Having waited until Monday morning to call the Polaris toll-free number to obtain an email address where I could send this full letter detailing my concerns, I am told that there is neither a telephone number nor an email to a specific individual or department to send this to.

I was advised to send this via regular mail to your corporate address specifying "Dealer Complaint".

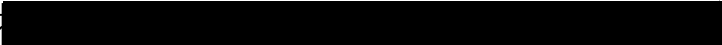
While the idea of sending a letter via snail mail is certainly quaint, it does little to enhance your firm's quickly diminishing reputation.

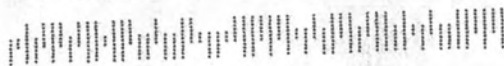
Regards,



Fonthill ON CANADA



Should you wish to discuss this matter further (and I certainly hope you do), you can reach my on my office line at 



R:1188376.118036
Destination: United States

CANADA POSTES	
POST CANADA	
Date 2016.06.02	Postage - Port 2.95
ST CATHARINES L2R3B0 0.060 kg	
1.00	CANADA
6001040	1188376 0118036

Ltr O/S US
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118036

Do not cover chevron
Ne couvrez pas le chevron

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