



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

NOV 12 2014

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Jay Joseph, Senior Manager  
Product Regulatory Office  
American Honda Motor Company  
1919 Torrance Blvd - Mailstop 500-2C-10A  
Torrance, CA 90501

NVS-214jry  
PE14-032

Dear Mr. Joseph:

As you know, the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE14-032) to investigate engine stalling in certain Honda CBR250R model motorcycles.

We have received nine (9) complaints from subject motorcycle owners alleging the engine stalls while slowing the vehicle with the clutch disengaged. One of the nine alleges a minor injury resulted when the stalled, and stationary, bike was rear-ended by a car. An electronic image of each VOQ has been e-mailed to your office and a listing of the nine VOQ numbers appears at the end of this letter.

To assess whether these VOQs indicate the existence of a safety defect trend, we have opened this PE and request the following information. Unless otherwise stated in the text, the following definitions apply to this information request:

- **Subject vehicles:** all MY 2011-14 Honda CBR250R motorcycles produced for sale or lease in the United States.
- **Honda:** American Honda Motor Company, all of its past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Honda (including all business units and persons previously referred to), who are or, in or after 2007, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
  - a. Design, engineering, analysis, modification or production (e.g. quality control);
  - b. Testing, assessment or evaluation;

- c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
  - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers (including retail customers).
- **Alleged defect:** engine stalling, regardless of cause, while a subject vehicle is underway.
  - **Document:** “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), web-based blogs (including forums and instant-messages), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Honda, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, “document(s)” also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether or not verified by Honda. If a document is not in the English language, provide both the original document and an English translation of the document.
  - **Other Terms:** To the extent that they are used in these information requests, the terms “claim,” “consumer complaint,” “dealer field report,” “field report,” “Crash,” “fleet,” “good will,” “make,” “model,” “model year,” “notice,” “property damage,” “property damage claim,” “rollover,” “type,” “warranty,” “warranty adjustment,” and “warranty

claim,” whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Honda has previously provided a document to ODI, Honda may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Honda’s response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by production year, the number of subject vehicles manufactured by Honda. Separately, for each subject vehicle manufactured to date, state the following:
  - a. Vehicle identification number (VIN);
  - b. Model Year;
  - c. Date of Manufacture;
  - d. Warranty coverage start date;
  - e. Original purchaser first and last name; and
  - f. Selling dealer Honda number (e.g., 694784, 690354, etc.).

Provide this information in Microsoft Access 2010, entitled “PRODUCTION DATA.”

2. State the number of each of the following, received by Honda, or of which Honda is otherwise aware, which relate to, or may relate to, the alleged defect:
  - a. Consumer complaints;
  - b. Field reports including dealer field reports;
  - c. Reports involving a Crash, injury, or fatality, based on claims against Honda involving a death or injury, or notices received by Honda alleging or proving that a death or injury was caused by the alleged defect in a subject vehicle;
  - d. Property damage claims;
  - e. Third-party arbitration proceedings where Honda is, or was, a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which Honda is or was a defendant or codefendant.

For subparts “a” through “d,” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a Crash occurred are to be counted as a Crash report, a field report and a consumer complaint).

In addition, for items “c” through “f,” provide a summary description of the alleged problem and causal and contributing factors and Honda’s assessment of the problem, with a summary

of the significant underlying facts and evidence. For items “e” and “f”, identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
  - a. Honda’s file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner name, address, telephone number, and e-mail address;
  - d. Vehicle’s VIN;
  - e. Vehicle’s model year;
  - f. Vehicle model;
  - g. Vehicle’s mileage at time of incident;
  - h. Incident date;
  - i. Report or claim date;
  - j. Crash;
  - k. Whether property damage is alleged;
  - l. Number of alleged injuries;
  - m. Number of alleged fatalities;
  - n. Whether Honda has possession of any relevant replaced vehicle component;
  - o. If so, identify the component(s);
  - p. Number of alleged injuries;
  - q. Number of alleged fatalities; and
  - r. Summarize the complaint.

Provide this information in Microsoft Access 2010, entitled “COMPLAINT DATA.”

4. Produce copies of all documents related to each item (including, but not limited to, police reports, Crash reports, Honda vehicle inspection(s)), within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, reports from dealers, etc.) and then, within each category, alphabetically by vehicle owner last name.
5. State a total count for all of the following categories of claims, collectively, that have been paid by Honda that relate to, or may relate to, the alleged defect: warranty claims; extended warranty claims; claims for good will services that were provided; or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin, customer satisfaction campaign, or other such activity.

Separately, for each such claim, state the following information:

- a. Honda’s claim number;
- b. Vehicle owner’s name, telephone number, and e-mail address;
- c. VIN;
- d. Model Year;
- e. Model;
- f. Repair date;
- g. Vehicle mileage at time of repair;

- h. Repairing facility's Honda dealer number;
- i. Labor operation number or code;
- j. Problem code;
- k. Replacement part number(s) and description(s);
- l. Concern stated by the customer; and
- m. Comment, if any, by the technician or person(s) making the repair, and/or the person(s) processing the claim that relate to the claim and/or repair.

Provide this information in Microsoft Access 2010, entitled "WARRANTY DATA."

Additionally, provide a spreadsheet listing the following information under these column headings: Labor operation number; Labor operation name/description; Problem code; Problem code name/description.

6. Describe in detail the search criteria used by Honda to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect. State the terms of the new vehicle warranty coverage (including emissions-related component coverage) provided by Honda on the subject vehicles (i.e., the number of months for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) related to the alleged defect that Honda offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect that Honda has issued to any dealers or distributors, regional or zone offices, or other such entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications to or for subject vehicle dealers and/or Honda customer service representatives, and/or consumers. Also include the latest draft copy of any of the above described documents (excluding Community forum postings) that Honda is planning to issue within the next 120 days.
8. Describe all cases, assessments, analyses, FMEAs, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect that have been conducted, are being conducted, are planned, or are being planned by, or for, Honda. For each such action, provide the following information:
  - a. Action title or identifier;
  - b. The actual or planned start date;
  - c. The actual or expected end date;
  - d. Brief summary of the subject and objective of the action;
  - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and,
  - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Describe all modifications or changes made by, or on behalf of, Honda in the design, manufacture, or quality control of the subject vehicles which relate to, or may relate to, the alleged defect:

For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
- b. A detailed description of the modification or change;
- c. The reason(s) for the modification or change;

Also, provide the above information for any modification or change to the subject vehicle(s) that relates to, or may relate to, the alleged defect which may be made within the next 120 days.

10. Furnish Honda's assessment of the alleged defect in the subject vehicles including:
  - a. The causal or contributory factor(s);
  - b. The failure mechanism(s);
  - c. The failure mode(s);
  - d. The risk to vehicle safety that it poses;
  - e. What warnings, if any, that the alleged defect is about to occur; and
  - f. The reports included with this inquiry.

### **Legal Authority for This Request**

This letter is being sent to Honda pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information.

### **Civil Penalties**

Honda's failure to respond promptly and fully to this letter could subject Honda to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(a), provides for civil penalties of up to \$7,000 per day, with a maximum of \$17,350,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 77 Fed. Reg. 70710 (November 27, 2012)). This includes failing to respond completely to ODI information requests.

If Honda cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Honda does not submit one or more requested documents or items of information in response to this information request, Honda must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include

all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

### **Confidential Business Information**

**All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to PE14-032 in Honda's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If Honda claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Honda must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Honda is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the phrase "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONTAINS CONFIDENTIAL BUSINESS INFORMATION" (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c).

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at [otto.matheke@dot.gov](mailto:otto.matheke@dot.gov) or (202) 366-5253.

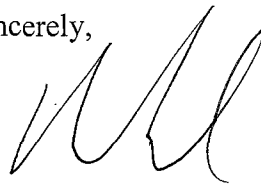
### **Due Date**

Honda's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by December 19, 2014. If Honda finds that it is unable to provide all of the information requested within the time allotted, Honda must request an extension from me at (202) 366-0319 no later than five business days before the response due date. If Honda is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Honda then has available, even if an extension has been granted.

Please send email notification to Mr. Bob Young at [robert.young@dot.gov](mailto:robert.young@dot.gov) and to [ODI\\_IRresponse@dot.gov](mailto:ODI_IRresponse@dot.gov) when Honda sends its response to this office and indicate whether there is confidential information as part of Honda's response.

If you have any technical questions concerning this matter, please call Bob Young of my staff, at (202) 366-4806.

Sincerely,

A handwritten signature in black ink, appearing to read 'BYork', written in a cursive style.

Bruce York, Chief  
Medium and Heavy Duty Truck Division  
Office of Defects Investigation  
Enforcement

Referenced 9 owner complaints (VOQ's):

10579375, 10523178, 10480058, 10436627, 10439045, 10505549, 10470072, 10479757,  
10585591.