



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



JUN 21 2017

1200 New Jersey Avenue SE.
Washington, DC 20590

Via Certified Mail and Email (delivery receipt requested)

Mr. Steven Mary
Assistant Director, Global Automotive
Product Compliance Manager
Winnebago Industries, Inc.
605 W Crystal Lake Road
Forest City, IA 50436

NEF-107aa
AQ17-003
17V-108

Dear Mr. Mary:

NHTSA received information suggesting that one of Winnebago Industries, Inc.'s (Winnebago) dealerships, Lazydays RV/LDRV Holdings Corp. (Lazydays RV) of Seffner, Florida, sold and delivered at least one new model year (MY) 2017 Winnebago Travato vehicle to a customer without having had all required safety recall repairs performed on that vehicle. Specifically, the information suggests repairs required under safety recall number 17V-108 were not made prior to delivery of the vehicle to its purchaser. This recall concerns certain model year 2016 and 2017 Winnebago Travato vehicles that contain a liquid propane (LP) hose that may contact the emergency brake cable, potentially causing it to leak propane. A propane leak can increase the risk of a fire or an explosion.

A dealer's sale and delivery of a new vehicle with a safety recall outstanding is a serious matter and a violation of Federal law to which significant civil penalties could apply. See 49 U.S.C. §§ 30120(i) and 30165. This office has opened an audit query (AQ) investigation and is sending this information request in order to determine whether Lazydays RV (defined below) has complied with the prohibition on sales and delivery of unremedied new vehicles subject to safety recalls.

For reference, a copy of the redacted complaint we received is enclosed.

DEFINITIONS

Unless otherwise stated in the text, the following definitions and instructions apply to these information requests:

1. “Winnebago” means Winnebago Industries, Inc., including all of its divisions, subsidiaries and affiliated enterprises and its 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 Winnebago (including all business units and persons previously referred to).
2. The term “you” or “your” refers to Winnebago.
3. “Lazydays RV” means Lazydays RV, Inc./LDRV Holdings Corp., including all of its divisions, subsidiaries and affiliated enterprises and its 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 Lazydays RV (including all business units and persons previously referred to).
4. The term “communications” is used in the broadest sense of the word and shall mean the exchange, transfer, or relay of any ideas, messages, or information by speech, writing, or other means, whether electronic, paper, or in person.
5. The term “person” includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States or abroad.
6. The term “relate to” or “relating to” means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to, directly or indirectly.
7. The term “explain,” “describe in detail,” or “state in detail” mean the following:
 - a. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact.
 - b. Particularize as to:
 - i. The identity of each person involved in each such event, including but not limited to persons employed Winnebago and those persons purporting to act for Winnebago;
 - ii. The specific acts of each person participating in each such event;
 - iii. The date and time of each such event;
 - iv. The address and location of each such event; and
 - v. The identity of each person present during each such event.

8. The term "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), and faxes. For purposes of this request, any document that 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.
9. "Safety recall 17V-108" means the safety recall Winnebago is conducting through its dealerships to remedy certain model year 2016 and 2017 Winnebago Travato vehicles that contain a liquid propane (LP) hose that may contact the emergency brake cable, potentially causing it to leak propane. A propane leak can increase the risk of a fire or an explosion.
10. "Recall notice" refers to any action in which Winnebago notifies any of its dealers, pursuant to 49 CFR § 577.13, of a safety recall of new vehicles that may be, or come into, dealer inventory, and instructs that a recalled vehicle may not be sold and delivered until the safety defect or noncompliance is remedied.
11. Other Terms: To the extent that they are used in this information request, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "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 plural form, have the same meaning as found in 49 CFR 579.4.
12. The singular includes the plural; the plural includes the singular. The masculine gender includes the feminine and neutral genders; and the neutral gender includes the masculine and feminine genders. "And" as well as "or" shall be construed either disjunctively or conjunctively, to bring within the scope of this information request all responses that might otherwise be construed to be outside its scope. "Each" shall be construed to include "every" and "every" shall be construed to include "each." "Any" shall be construed to include "all" and "all" shall be construed to include "any." The use of a verb in any tense shall be construed as the use of the verb is a past or present tense, whenever necessary to bring within the scope of the document request all responses which might otherwise be construed to be outside its scope.

INFORMATION REQUESTS

1. Identify any and all notices or communications Winnebago transmitted or otherwise made available to Lazydays RV (including, but not limited to, notifications, service bulletins, recall notices, reports, and letters, whether paper or electronic (such as through any Winnebago interactive network)) concerning safety recall 17V-108. For each notice or communication you identify, state: (a) the date Winnebago transmitted it or otherwise made it available to Lazydays RV; (b) the type of the notice or communication (e.g., recall notice, dealer bulletin, etc.); (c) the means of transmission (e.g., email, Winnebago interactive Network, fax, etc.); and (d) the number and/or VINs of affected units Winnebago identified as within Lazydays RV's possession, if any.

Produce a copy of each notice or communication you identify in response to this question, including copies of any accompanying enclosures or attachments.

2. Identify any other communications, other than those already identified and produced in your response to Information Request No. 1, between Winnebago and Lazydays RV concerning safety recall 17V-108. For each such communication, state: (a) the date Winnebago transmitted it or otherwise made it available to Lazydays RV; (b) the purpose of the communication; and (c) the means of transmission.

Produce a copy of each communication you identify in response to this question, including copies of any accompanying enclosures or attachments.

3. For each and every safety recall of which Winnebago notified NHTSA during calendar years 2015 through 2017, and for which Winnebago notified Lazydays RV (by means including, but not limited to, a specific recall notice), produce a spreadsheet table detailing the following about each new vehicle that was in Lazydays RV's possession, subject to that recall, and had not yet been sold and delivered to the first purchaser other than for resale at the time Winnebago first notified Lazydays RV of the recall:
 - a. The VIN;
 - b. The Winnebago recall number;
 - c. The NHTSA recall number;
 - d. The date Winnebago issued a recall notice to Lazydays RV;
 - e. The means of transmission of the notification referred to in subpart (d) above (email, Winnebago interactive network, fax, etc.);
 - f. The date Winnebago transmitted or otherwise made available to Lazydays RV a VIN list or other information from which to ascertain the vehicle's inclusion in the safety recall;
 - g. The means of transmission for the VIN list or other information from which to ascertain the vehicle's inclusion in the safety recall and recall notice, (e.g., email, Winnebago interactive network, fax etc.);

- h. The date on which Lazydays RV took possession of the vehicle;
- i. What Lazydays RV ultimately did with the vehicle (e.g., sold to a retail customer; leased to a retail customer);
- j. The date on which the vehicle was leased or sold to the first purchaser other than for resale (e.g., sold to a retail customer) (if applicable);
- k. The date on which the vehicle was delivered by Lazydays RV to the first purchaser;
- l. Whether the recall remedy was performed on the vehicle. "Recall remedy" refers to the inspection and repair procedures Winnebago instructed Lazydays RV to perform under the recall;
- m. The date on which the recall remedy was performed on the vehicle;
- n. The name and address of the entity that performed the recall remedy on the vehicle (e.g., Lazydays RV).

Provide your responses in a table in Microsoft Access or Excel entitled "Vehicles Requiring Recall Notice."

- 4. Produce copies of all documents that evidence, substantiate, or are otherwise related to your responses to each item within the scope of Request No. 3. Organize the documents separately by VIN.
- 5. Provide any additional information Winnebago considers important for the agency to consider in reviewing and evaluating Winnebago's responses to any of the requests above. As one example, identify any anomalies in the data or documents and explain the reason(s) for those anomalies.

You must respond in writing to this letter. This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If Winnebago claims that any of the information or documents provided in response to this information request constitutes confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. § 1905, the company must submit supporting information together with the materials that are the subject of the confidentiality request to the Office of Chief Counsel, W41-326 National Highway Traffic Safety Administration, 1200 New Jersey Ave., SE, Washington, D.C. 20590. Please see 49 CFR Part 512 for further instructions as to what is required to properly file a request for confidential treatment.

Please provide your written response **no later than three weeks from the date of this letter.**

Please direct your response to me and note conspicuously on your response the investigation number assigned to this matter (e.g., AQ17-003). Should you have any questions or concerns, please contact Alex Ansley on my staff at (202) 493-0481 or at alexander.ansley@dot.gov.

Sincerely,



Stephen A. Ridella, Director
Office of Defects Investigation
Enforcement

Enclosures

Safety Issue Type: Complaints**May 13 2017** NHTSA ID Number: 10985486**Components: ELECTRONIC STABILITY CONTROL, FUEL/PROPULSION SYSTEM**

NHTSA ID Number 10985486

Incident Date April 28 2017

Consumer Location JACKSONVILLE, FL

Vehicle Identification Number 3C6URVJG2HE*****

Complaint Summary

CRASH No NHTSA SAFETY RECALL 17V-108 CAMPAIGN 144 LP HOSE! PURCHASED
FIRE No THE TRAVATO ON APRIL 28TH WHEN RECALL WAS ALREADY IN AFFECT
INJURIES 0 THE REPAIR RECALL WAS NOT FIXED BUT THEY DELIVERED THE VEHICLE
DEATHS 0 TO ME KNOWING THIS! GOT A RECALL NOTICE FROM THEM ON MAY 8TH
(CERT MAIL) TELLING ME OF THE RECALL. I HAVE MADE ARRANGEMENT
FOR REPAIR ON MAY 19TH MUST DRIVE IT TO TAMPA FL FROM
JACKSONVILLE FL AT MY TIME NO EXSPENCE . WILL IT BE SAFE TO DRIVE
AND DO I HAVE ANY GROUNDS FOR COMPENSATION IN THIS MATTER!
LAZY DAY SERVICE MANAGER SAID THEY DID NOT HAVE TIME TO FIX IT
BEFORE IT WAS DELIVERED TO ME? THANK YOU FOR LISTING!

[REDACTED]

Associated Products (1)**Vehicle**

MAKE	MODEL	YEAR
RAM	PROMASTER	2017