

Triumph Motorcycles (America) Limited
Response to July 28, 2021 Information Request (PE 21-017)

This response to the Agency's July 28, 2021 Information Request regarding Preliminary Evaluation (PE) 21-017 is submitted on behalf of Triumph Motorcycles (America) Limited (TMA). This response was prepared pursuant to a diligent search for the requested information. The scope of TMA's search for responsive information focused on the locations where responsive information is most likely to be maintained and on review of TMA files in which responsive information ordinarily would be expected to be found and to which TMA ordinarily would refer. TMA notes that although electronic information was included within the scope of its search, it has not attempted to retrieve from computer storage electronic files that were overwritten or deleted.

TMA notes that its parent entity, Triumph Motorcycles Limited (UK) (TML), is a distinct, separate legal entity. To the extent that the Agency's definition of Triumph includes TML, TMA does not have possession, custody, or control over information held by TML. With respect to requests that seek documents in TML's possession, custody, or control, TMA shared the information request with TML. TMA understands that TML will voluntarily submit supporting documents in a separate submission.

Additionally, to the extent that the Agency's definition of Triumph includes suppliers and contractors for which TMA does not exercise day-to-day operational control, we note that information belonging to such entities ordinarily is not in TMA's possession, custody, or control. Similarly, we note that information belonging to distributors and retailers is not in TMA's possession, control, or custody.

TMA is providing responsive information only insofar as such information is not subject to the attorney-client privilege or attorney work product.

The Agency's information request refers to 29 vehicle owner questionnaires (VOQs) concerning the subject vehicles. On reviewing the 29 supplied VOQ's, TMA determined that VOQ #11367042 (VIN) refers to Triumph model Speed Twin, which is not included in the "Subject Vehicle" definition. Further, the Speed Twin does not use the same front brake components as the Subject Vehicles. Accordingly, TMA has removed this VOQ from its analysis, leaving the total number of associated VOQs at 28. TMA also determined that the VOQ #11387875 (VIN [REDACTED]) is a Canadian-specification motorcycle. For purposes of responding to this information request, TMA has included this bike in its analysis. TMA did not import this motorcycle into the United States and, therefore, this motorcycle (and any other non-U.S. specification motorcycles) should not be included in the U.S. population.

Responses to NHTSA's Requests

Responses to the Agency's Requests are set forth below. As requested, after each numeric designation, we have set forth verbatim the request for information (in italics), followed by our response. Unless otherwise stated, TMA has undertaken to provide responsive documents dated up to and including September 1, 2021.

Request No. 1.

State, by model and model year, the number of subject vehicles Triumph has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Triumph, state the following:

- a. Vehicle identification number (VIN);
- b. Make;
- c. Model;
- d. Model Year;
- e. Subject component part number and design version installed as original equipment;
- f. Date of manufacture;
- g. Date warranty coverage commenced; and
- h. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Response to Request No. 1.

Information in response to Request No. 1 is contained in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CFR Part 512. The response is in the file entitled "CONF BUS INFO - PE21-017 - Q1 PRODUCTION DATA.xlsx."

In defining the Subject Component, NHTSA asked that each part in the braking system be separately identified. In the ordinary course of its record keeping, Triumph does not necessarily identify the component part number and design change version in the form requested in item e. Therefore, to complete column E of the PRODUCTION DATA spreadsheet, Triumph created groups of parts based on the design change evolution. For convenience and to ensure the PRODUCTION DATA spreadsheet is useable, Triumph created a heading for each group of parts to aid identification. These groups and headings do not exist within Triumph's business, but have instead been created to assist this inquiry. The response to Q9 contains the group headings and the parts contained within each group.

In summary, there are 3,571 Subject Vehicles, of which 2,440 are "Thruxton R" (Triumph model code DE2) and 1,131 are "Speed Triple" family models (NN3-6). The Table below itemizes by model and model year.

Model Code	DE2	NN3	NN4	NN5	NN6	TOTALS
Model Name	Thruxton R	Speed Triple S	Speed Triple R	Speed Triple S	Speed Triple RS	
Model Year						
2016	1264	179	171	0	0	1614
2017	534	115	75	0	0	724
2018	422	0	0	0	0	422
2019	220	0	0	125	466	811
TOTALS	2440	294	246	125	466	3571

Models by Start of Production (SOP) VIN and Start of Production dates are as follows:

Model	SOP (US)	ProdDate (US)
NN3 - Speed Triple S	744777	22/12/2015
NN4 - Speed Triple R	738052	14/10/2015
NN5 - Speed Triple S	899461	09/04/2018
NN6 - Speed Triple RS	898315	04/04/2018
DE2 - Thruxton R	745688	06/01/2016

Request No. 2.

State the number of each of the following, received by Triumph, or of which Triumph is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:

- a. Consumer complaints, including those from fleet operators;*
- b. Field reports, including dealer field reports;*
- c. Reports involving a crash, injury or fatality;*
- d. Property damage claims;*
- e. Third-party arbitration proceedings where Triumph is or was a party to the arbitration; and*
- f. Lawsuits, both pending and closed, in which Triumph is or was a defendant or co-defendant.*

For subparts "a" through "f" 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 Triumph'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.

Response to Request No. 2.

Information in response to Request No. 2 is contained in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CFR Part 512. The response is in the file entitled "CONF BUS INFO - PE21-017 - Q2 SUMMARY.xlsx."

Because items c through f, have nil returns, Triumph has not supplied summary descriptions of the alleged problem and causal and contributing factors and Triumph's assessment of the problem, with a summary of the significant underlying facts and evidence.

For items e through f, Triumph knows of no Third-Party Arbitration or Lawsuits relating to this inquiry and therefore has no assessment to offer.

Request No. 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. Triumph'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 or fleet name (and fleet contact person), street address, email address and telephone number;*
- d. Vehicle's VIN;*
- e. Vehicle's make, model and model year;*
- f. Vehicle's mileage at time of incident;*
- g. Incident date;*
- h. Report or claim date;*

- i. Whether a crash is alleged;*
- j. Whether property damage is alleged;*
- k. Number of alleged injuries, if any; and*
- l. Number of alleged fatalities, if any.*

Response to Request No. 3.

Information in response to Request No. 3 is contained in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CR Part 512. Information in response to Request No. 3 is contained in the file entitled "CONF BUS INFO - PE21-017 - Q3 COMPLAINT DATA.xlsx." With respect to item (c), Triumph is providing the last known owner or fleet information in its records. Triumph is providing responses to items (c) through (l) to the extent that information is available.

Request No. 4.

Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Triumph used for organizing the documents. Describe in detail the search methods and search criteria used by Triumph to identify the items in response to Request No. 2.

Response to Request No. 4.

Copies of all documents related to each item within the scope of Request No. 2 are included in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CR Part 512. The responsive documents are located in the zipped folder entitled "CONF BUS INFO - PE21-017 - Q4 Responsive Documents.zip." Triumph organized responsive documents by category using the file prefixes "CC" or "FR" to designate customer complaints or field reports, respectively.

To locate these documents, Triumph undertook a review of all EWR consumer complaints, property damage and field reporting since Q1 2015 through to Q2 2021. These reports have been used to populate past aggregate EWR quarterly spreadsheets and are then digitally stored at Triumph for ease of access.

Triumph used past copies of EWR aggregate reports to identify the total number of brake related consumer complaints, property damage and field reports. Triumph then manually reviewed each PDF document associated with past aggregate data, filtering on the Subject Vehicles.

In addition to the above-described EWR check, Triumph reviewed all lawsuits and arbitration cases held on file. A manual search for claims relating to the Subject Vehicles and Subject Components was undertaken by searching on keywords: Thruxton R, Speed Triple and model years 2016 through to 2019; and then further searching on allegation keywords brake, brakes and braking.

Request No. 5.

State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Triumph to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in

accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

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

- a. Triumph's claim number;*
- b. Vehicle owner or fleet name (and fleet contact person), street address, email address and telephone number;*
- c. VIN;*
- d. Repair date;*
- e. Vehicle mileage at time of repair;*
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;*
- g. Labor operation number(s);*
- h. Problem code(s);*
- i. Diagnostic trouble code(s);*
- j. Replacement part number(s) and description(s);*
- k. Concern stated by customer;*
- l. Cause as stated on the repair order;*
- m. Correction as stated on the repair order; and*
- n. Additional comments, if any, by dealer/technician relating to claim and/or repair.*

Response to Request No. 5.

Information in response to Request No. 5 is contained in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CR Part 512. Information in response to Request No. 5 is contained in the file entitled "CONF BUS INFO - PE21-017 - Q5 WARRANTY DATA.xlsx." The spreadsheet identifies by model and model year, a total count for all the following categories of claims, collectively, that have been paid by Triumph to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided.

Triumph has no data to submit relating to field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Request No. 6.

Describe in detail the search methods and search criteria used by Triumph to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.

Response to Request No. 6.

Search methods and search criteria: To populate the spreadsheet, "CONF BUS INFO - PE21-017 - Q5 WARRANTY DATA.xlsx," information was obtained from Triumph's warranty system, which is the only system used to credit dealers for warranty claims and goodwill. Triumph searched on fault code 0202 (front brake) for all warranty claims for models DE2, NN3-6 (2016-2019 model year). This inquiry generated a report containing front brake-related claims. Claims not relating to inconsistent braking and extended stopping distances were then removed. A further sense-check was then conducted using the Customer Complaint field and the Dealer Description field to ensure the record related to reports of inconsistent braking and extended stopping distances.

Selection of data: The dealer will select a Fault Code when creating a new Warranty Prior Consultation. A Prior Consultation record is an electronic record created by the dealer, which is then sent to Triumph for approval. Once approved the dealer will commence to repair the vehicle under Triumph warranty or goodwill. Triumph's Fault Codes comprise a code relating to the component, plus a code relating to the issue with the component. For example, a typical Fault code for front brake will be "0202", adding "01" will identify the brake rotor, and adding "11" will indicate a poor alignment issue. Total code will read 02020111. A complete list of Triumph's Fault Codes are included in the file entitled "CONF BUS INFO - PE21-017 - Q6.1 Fault Codes All Models.xlsx" in TMA's request for confidential treatment.

A list of all Triumph's Labour Operations, descriptions and codes are included in the files entitled "Q6.2 Labour Operations DE2 Repair Codes.pdf" and "Q6.2 Labour Operations NN3-6 Repair Codes.pdf" in TMA's request for confidential treatment.

A list of all Triumph's Diagnostic, descriptions and codes included in the files entitled "Q6.3 DE2 DTC.pdf," "Q6.3 NN3&4 DTC.pdf," "Q6.3 NN5 DTC.pdf," and "Q6.3 NN6 DTC.pdf" in TMA's request for confidential treatment.

When creating a new Prior Consultation record, the dealer is presented with a full list of Repair and Fault Codes. The addition of Repair and Fault Codes are mandatory fields when preparing a new Prior Consultation. The dealer makes this selection manually.

Dealers are not presented with a full list of DTCs when creating a new Warranty Prior Consultation. Dealers are not required to enter the DTCs into the new warranty Prior Consultation record. TMA has manually reviewed each warranty record listed in the spreadsheet entitled CONF BUS INFO - PE21-017 - Q5 WARRANTY DATA.xlsx; none were discovered.

Warranty Terms and Conditions: All Triumph motorcycles sold in the USA have a two-year, unlimited-mileage warranty. Motorcycles sold in California benefit from a further five-year warranty relating to components associated with emissions. Triumph's Warranty Terms and Conditions can be found in the files entitled "PUBLIC - Q6 Warr T&C DE2.pdf" and "PUBLIC - Q6 Warr T&C NN.pdf."

Request No. 7.

Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Triumph has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Triumph is planning to issue within the next 120 days.

Response to Request No. 7.

Triumph has issued the six service bulletins that relate to the front braking system in the Subject Vehicles. Although Triumph does not believe that these bulletins relate to the alleged defect in the Subject Vehicles, the bulletins do relate to the subject components:

- Q7 TN163 – Item 9 – This was posted in 2015 but addresses brake bleeding for all models including ABS models.

- Q7 TN168 – Item 5 – Front brake caliper bolts
- Q7 TN169 – Item 1 – Front brake lever supply notice
 - – Item 10 – Front brake reservoir bracket
- Q7 TN174 – Item 1 – Front brake caliper spacing check.
- Q7 TN189 – item 8 - Front Master Cylinder Reservoir Cap Screws
- Q7 TN200 – Item 3 – ABS Modulator Communication

When first contacted by NHTSA in December 2020, (NHTSA new issue 3504) Triumph undertook an investigation into nine VOQs (VOQ 11372529 VIN [REDACTED], VOQ 11367061 VIN [REDACTED], VOQ 11366962 VIN [REDACTED], VOQ 11366939 VIN [REDACTED], VOQ 11366927 VIN [REDACTED], VOQ 11366688 VIN [REDACTED], VOQ 11331149 VIN [REDACTED], VOQ 11319267 VIN [REDACTED] and VOQ 11221173 VIN [REDACTED]) related to customer complaints about the feel of the front-brake.. Triumph is submitting copies of emails (with accompanying attachments) related to these inquiries. These emails are included in Triumph's request for confidential in the zipped folder entitled "CONF BUS INFO - PE 21-017 - Q7 - Investigation Emails."

Some MY2019 Speed Triples were included in Triumph's voluntary safety recall, NHTSA Recall No. 20V236, issued in July 2020. This service action related to a potential separation issue involving brake pad material adhesion-to-brake pad backing plate. For the Agency's convenience, Triumph is submitting copies of the following documents in zipped folder entitled "PUBLIC - PE 21-017 - Q7 Documents.zip":

- Q7 Part 573 (original)
- Q7 Part 573 (amendment).
- Q7 Dealer Notification notice dated 6th July 2020.
- Q7 Dealer Notification notice dated 30th July 2020.
- Q7 Dealer Notification notice dated 18th September 2020.
- Q7 Dealer Notification notice dated 30th November 2020.
- Q7 Dealer Notification notice dated 30th June 2021.
- Q7 Owner Notification letter dated 26th June 2020.

At this time, Triumph does not plan to issue any communications within the next 120 days.

Request No. 8.

Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Triumph. For each such action, provide the following information:

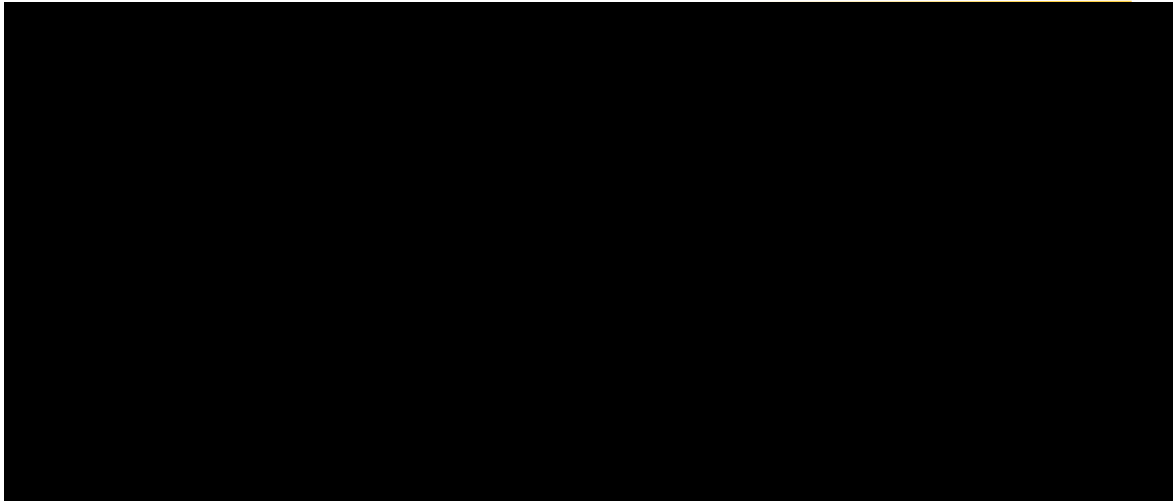
- a. Action title or identifier;*
- b. The actual or planned start date;*
- c. The actual or expected end date;*
- d. Brief summary of the subject and objective of the action;*
- e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action;*
- and*
- f. A brief summary 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.

Response to Request No. 8.

Triumph Motorcycles (America) Limited (TMA) does not hold any analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Triumph. TMA does not design or conduct any testing as described above. TMA is a subsidiary of Triumph Motorcycles Limited, England (TML). TMA performs the role of distributor of finished products within the US.

New model development takes approximately three to four years to bring to production. This pre-production time is used to agree on the new model specification, create early schematics, physical representations and commence creation of early prototype engines and chassis. The evolution of a new model progresses through several stages including workshop-built motorcycles and later motorcycles built on the production line. At each stage of pre-production development, certain foundation tests are carried out, including Pavé, Mileage and Endurance. These are described in more detail below.



TML has confirmed to TMA that the subject vehicles have undergone the above testing and have passed. TMA understands that TML will be voluntarily supplying a number of documents relating to this Request to NHTSA.

Such testing is designed to highlight areas of improvement and the process followed by TML is itself designed to ensure any identified faults or improvement opportunities are resolved prior to the model being released for volume production and sale to the public.

Request No. 9.

Describe all modifications or changes made by, or on behalf of, Triumph in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles.

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;*

- d. The part number(s) (service and engineering) of the original component;*
- e. The part number(s) (service and engineering) of the modified component;*
- f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;*
- g. When the modified component was made available as a service component; and*
- h. Whether the modified component can be interchanged with earlier production components.*

Also, provide the above information for any modification or change that Triumph is aware of which may be incorporated into vehicle production within the next 120 days.

Response to Request No. 9.

Triumph Motorcycles (America) Limited (TMA) does not have possession, custody, or control of information relating to changes made by, or on behalf of, Triumph in the design, material composition, manufacture, quality control, supply, or installation of the subject component design changes that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Triumph. TMA has access to Electronic Parts Catalogue information. It is providing copies of the three current pages of EPC in files entitled "PUBLIC - PE 21-017 - Q9 EPC Front Brake Master Cylinder.pdf," "PUBLIC - PE 21-017 - Q9 EPC ABS System.pdf," and "PUBLIC - PE 21-017 - Q9 EPC Front Brake Caliper & Disc.pdf." TMA is a subsidiary of Triumph Motorcycles Limited, England (TML). TMA performs the role of distributor of finished products within the US.

TMA shared the information request with TML, which will provide a separate response to this request.

Request No. 10.

State the number of each of the following that Triumph has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):

- a. Subject component;*
- b. Add any further requests or delete all, including requests for similar or substantially similar components; and*
- c. Any kits that have been released, or developed, by Triumph for use in service repairs to the subject component/assembly.*

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other Vehicles of which Triumph is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

Response to Request No. 10.

Information in response to Request No. 10 is contained in Triumph's request for confidential treatment submitted to the Office of Chief Counsel as required by 49 CFR Part 512. Confidential information is contained in the file entitled "CONF BUS INFO - PE 21-017 - Q10 Component Data.xlsx." The spreadsheet lists major components of the front brake system and associated sales data. Please

note that TMA's systems does not identify the model, or model year for each parts order. TMA is therefore unable to provide parts sales data by model or model year

TMA does not hold supplier details. TMA requested the assistance of TML, which is providing this information in a separate submission.

Request No. 11.

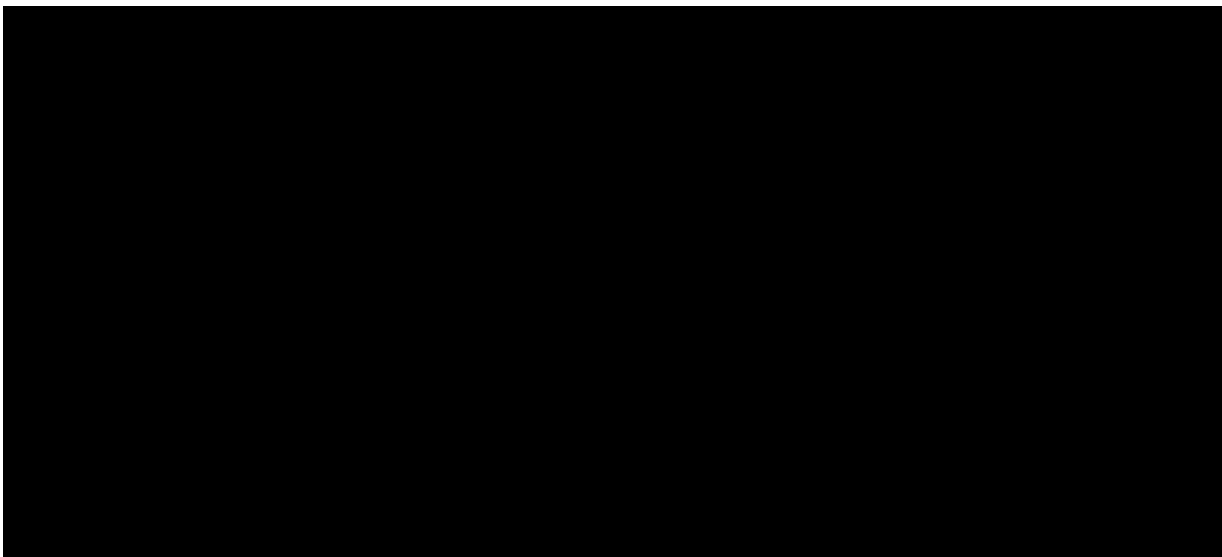
Furnish Triumph's assessment of the alleged defect in the subject vehicle, including:

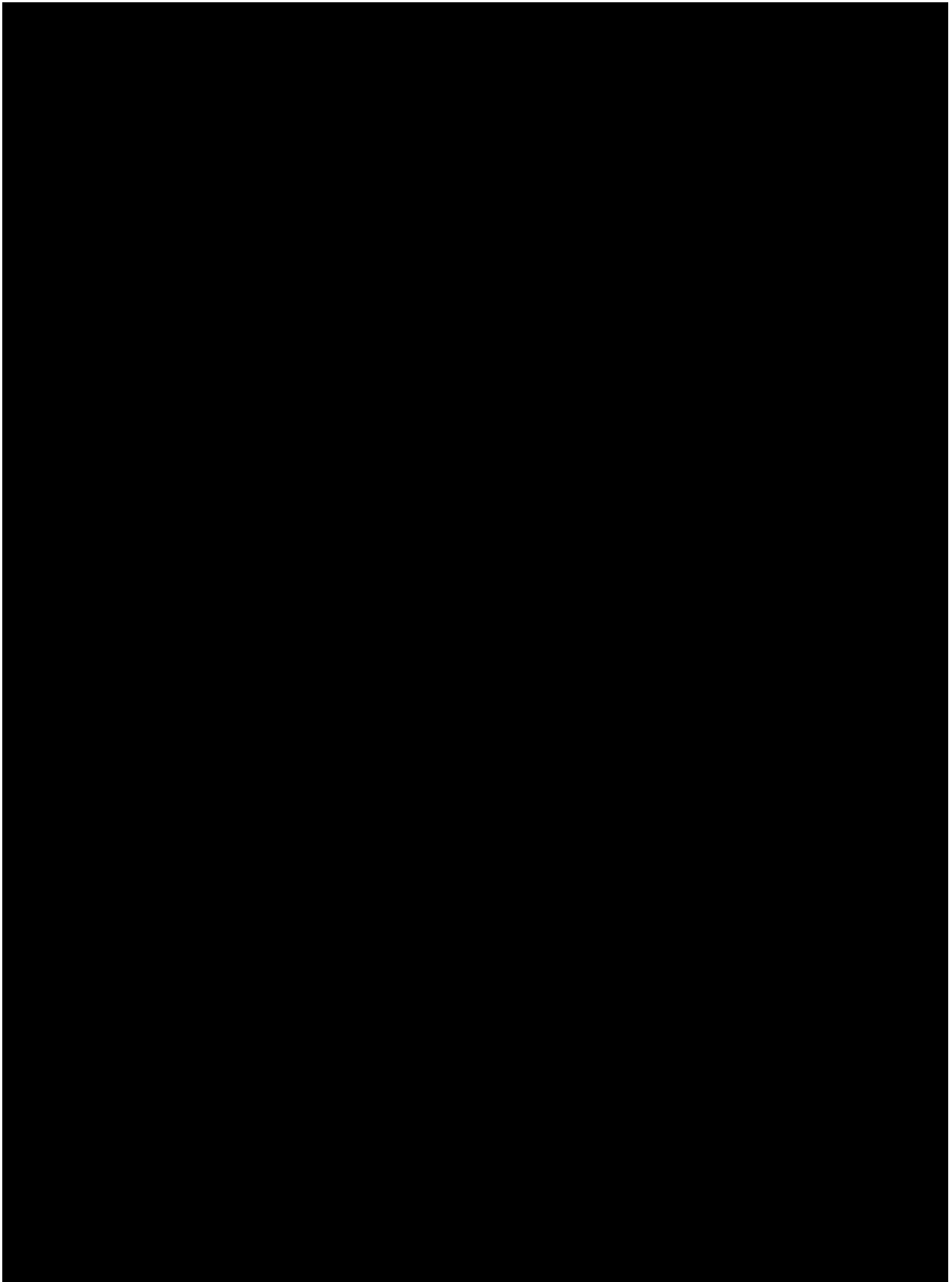
- a. The causal or contributory factor(s);*
- b. The failure mechanism(s);*
- c. The failure mode(s);*
- d. The risk to motor vehicle safety that it poses;*
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and*
- f. The reports included with this inquiry.*

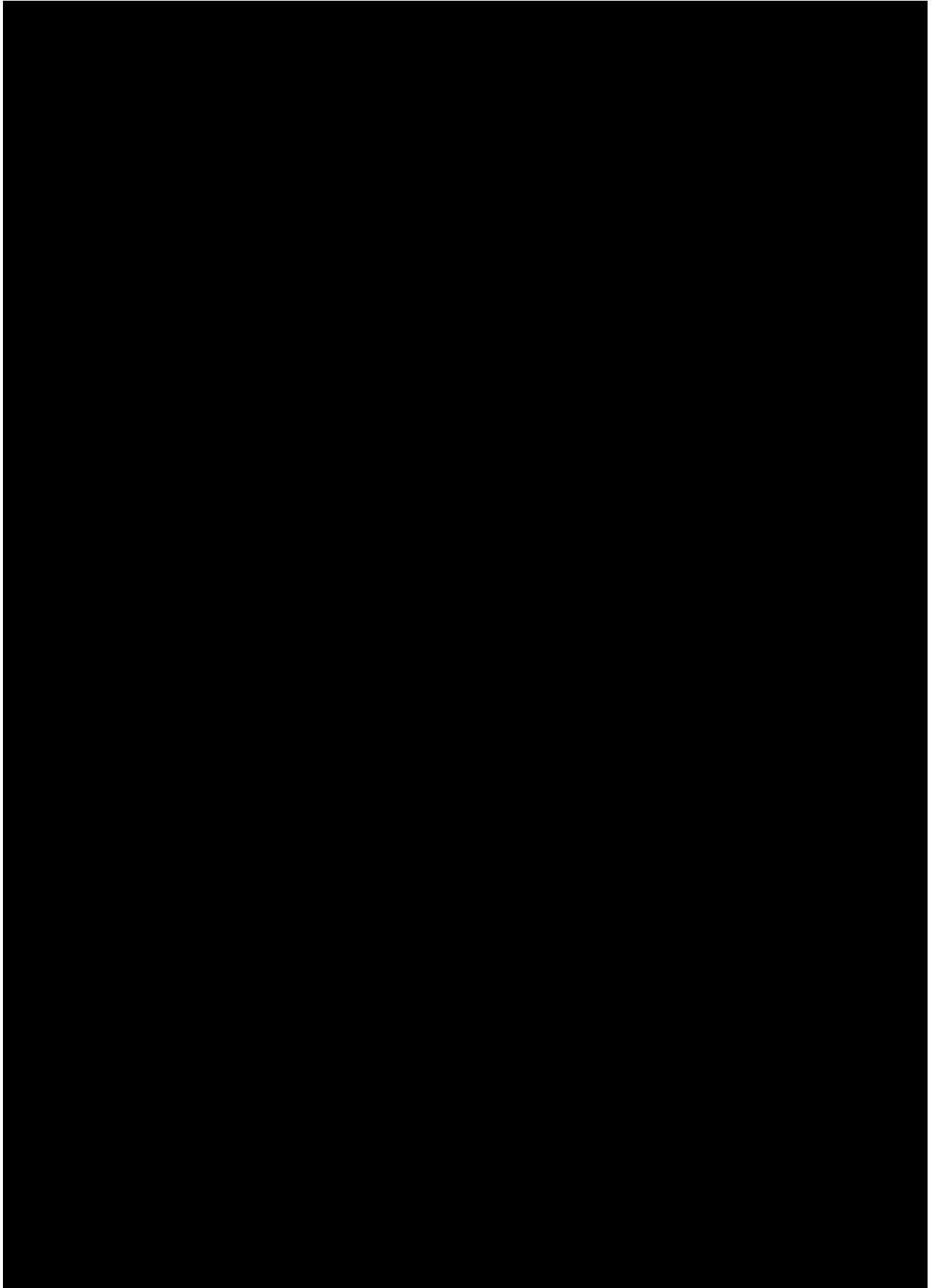
Response to Request No. 11.

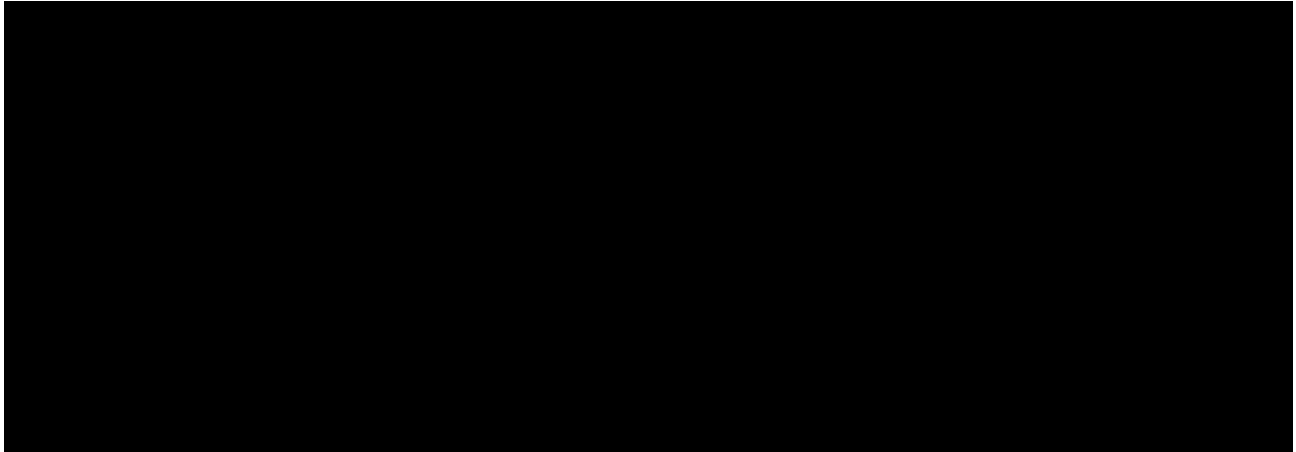
Triumph does not agree with the VOQ complainants that there exists a defect in the Subject Components on the Subject Vehicles. The Agency explained that it opened PE21-017 "to investigate allegations of an unexpected soft front brake lever requiring a double pull of the front brake lever, resulting in inconsistent braking and extended stopping distance." Triumph has investigated complaints in which the rider perceived extended stopping distance due to a soft or spongy front brake lever and alleged stopping required a "double pull." Tests of motorcycles confirmed a noticeable difference in lever travel between first and second level pulls. However, this difference in brake-lever feel did not affect brake performance. In short, the soft-lever feel does not adversely impact stopping distance and, therefore, does not present a safety-related defect. Rather, these complaints are a customer satisfaction issue that can be corrected by following the recommended servicing – fluid change and brake bleed.

Below is a more detailed analysis of Triumph's position. Triumph believes that a broad description of this type of brake system will assist the Agency in understanding Triumph's position.









Accordingly, Triumph does not believe that this condition is a defect or that the subject component is malfunctioning. Moreover, because the soft brake lever occurs over time, the change in lever feel should alert the rider to the need to change the brake fluid and bleed the brakes.

Kind regards,

Triumph Motorcycles (America) Limited