



09V-162
(5 Pages)

May 8th, 2009

"by fax and email"

Mr. Daniel Smith
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building, Fourth Floor
Washington, DC 20590

Re: Initial Defect Information Report Pursuant to 49 CFR Part 573

Dear Mr. Smith:

Bombardier Recreational Products Inc. the manufacturer and BRP US Inc. the US distributor determined that a defect which relates to motor vehicle safety may exists in certain 2008 and 2009 model year Can-Am Spyder Roadsters. A Safety Committee was held on May 4th, 2009 and we are reporting the currently available information required by 49 CFR Part 573.6.

• **573.6 (c) (1) Name of manufacturer:**

The affected vehicles were manufactured by Bombardier Recreational Products Inc., 726 Saint-Joseph Street, Valcourt, Quebec Canada J0E 2L0 and imported into the United States by BRP US Inc., 10101 Science Drive, Sturtevant, Wisconsin, USA 53177.

Contact person at the manufacturer with respect to this recall is Annie Gauthier, Legal Counsel, Bombardier Recreational Products Inc., 726 St-Joseph Street, Valcourt, Quebec, Canada J0E 2L0, T 450-532-6107, annie.gauthier@brp.com.

• **573.6 (c) (2) Identification of the Vehicles involved in the Recall:**

The vehicles involved are certain MY 2008 and 2009 Can-Am Spyder Roadsters. The inclusive dates of manufacture are listed in the chart below; please note that the vehicle serial numbers reflect global production and not only vehicles available for sale in the United States.

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| Model Year | Models involved* *The models identified in blue are the only ones available for sale in North America (USA and Canada). | Production dates; Start/End | Serial Numbers; Start/End | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 2008 | <table border="1"> <thead> <tr> <th data-bbox="245 363 834 427">Model name</th> <th data-bbox="834 363 1008 427">Model number</th> </tr> </thead> <tbody> <tr> <td data-bbox="245 427 834 470">ROADSTER SPYDER GS 5S G 2008</td> <td data-bbox="834 427 1008 470">A18H</td> </tr> <tr> <td data-bbox="245 470 834 512"></td> <td data-bbox="834 470 1008 512">A18L</td> </tr> <tr> <td data-bbox="245 512 834 555"></td> <td data-bbox="834 512 1008 555">A18S</td> </tr> <tr> <td data-bbox="245 555 834 597"></td> <td data-bbox="834 555 1008 597">A18T</td> </tr> <tr> <td data-bbox="245 597 834 640">ROADSTER SPYDER GS 5S G 2008 EUR</td> <td data-bbox="834 597 1008 640">A18M</td> </tr> <tr> <td data-bbox="245 640 834 683"></td> <td data-bbox="834 640 1008 683">A18P</td> </tr> <tr> <td data-bbox="245 683 834 725">ROADSTER SPYDER GS 5S R 2008</td> <td data-bbox="834 683 1008 725">A18U</td> </tr> <tr> <td data-bbox="245 725 834 768">ROADSTER SPYDER GS 5S Y 2008</td> <td data-bbox="834 725 1008 768">A18G</td> </tr> <tr> <td data-bbox="245 768 834 810"></td> <td data-bbox="834 768 1008 810">A18J</td> </tr> <tr> <td data-bbox="245 810 834 853"></td> <td data-bbox="834 810 1008 853">A18R</td> </tr> <tr> <td data-bbox="245 853 834 895">ROADSTER SPYDER GS 5S Y 2008 EUR</td> <td data-bbox="834 853 1008 895">A18K</td> </tr> <tr> <td data-bbox="245 895 834 938"></td> <td data-bbox="834 895 1008 938">A18N</td> </tr> <tr> <td data-bbox="245 938 834 981">ROADSTER SPYDER GS SA G 2008</td> <td data-bbox="834 938 1008 981">A28E</td> </tr> <tr> <td data-bbox="245 981 834 1023">ROADSTER SPYDER GS SA G 2008 EUR</td> <td data-bbox="834 981 1008 1023">A28F</td> </tr> <tr> <td data-bbox="245 1023 834 1066">ROADSTER SPYDER GS SA R 2008</td> <td data-bbox="834 1023 1008 1066">A28G</td> </tr> <tr> <td data-bbox="245 1066 834 1108">ROADSTER SPYDER GS SA R 2008 EUR</td> <td data-bbox="834 1066 1008 1108">A28H</td> </tr> <tr> <td data-bbox="245 1108 834 1151">ROADSTER SPYDER GS SA Y 2008</td> <td data-bbox="834 1108 1008 1151">A28B</td> </tr> <tr> <td data-bbox="245 1151 834 1193">ROADSTER SPYDER GS SA Y 2008 EUR</td> <td data-bbox="834 1151 1008 1193">A28C</td> </tr> </tbody> </table> | Model name | Model number | ROADSTER SPYDER GS 5S G 2008 | A18H | | A18L | | A18S | | A18T | ROADSTER SPYDER GS 5S G 2008 EUR | A18M | | A18P | ROADSTER SPYDER GS 5S R 2008 | A18U | ROADSTER SPYDER GS 5S Y 2008 | A18G | | A18J | | A18R | ROADSTER SPYDER GS 5S Y 2008 EUR | A18K | | A18N | ROADSTER SPYDER GS SA G 2008 | A28E | ROADSTER SPYDER GS SA G 2008 EUR | A28F | ROADSTER SPYDER GS SA R 2008 | A28G | ROADSTER SPYDER GS SA R 2008 EUR | A28H | ROADSTER SPYDER GS SA Y 2008 | A28B | ROADSTER SPYDER GS SA Y 2008 EUR | A28C | From the beginning of production on July 4 th , 2007 up to the end of production on November 17, 2008. | See the attached complete list of serial numbers for MY2008. | | | | | | | | | | |
| Model name | Model number | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S G 2008 | A18H | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18L | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18S | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18T | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S G 2008 EUR | A18M | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S R 2008 | A18U | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S Y 2008 | A18G | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18J | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18R | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S Y 2008 EUR | A18K | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A18N | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA G 2008 | A28E | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA G 2008 EUR | A28F | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA R 2008 | A28G | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA R 2008 EUR | A28H | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA Y 2008 | A28B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA Y 2008 EUR | A28C | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2009 | <table border="1"> <tbody> <tr> <td data-bbox="245 1081 834 1123">ROADSTER SPYDER GS 5S B 2009</td> <td data-bbox="834 1081 1008 1123">A19N</td> </tr> <tr> <td data-bbox="245 1123 834 1166">ROADSTER SPYDER GS 5S G 2009</td> <td data-bbox="834 1123 1008 1166">A19D</td> </tr> <tr> <td data-bbox="245 1166 834 1208"></td> <td data-bbox="834 1166 1008 1208">A19K</td> </tr> <tr> <td data-bbox="245 1208 834 1251">ROADSTER SPYDER GS 5S G 2009 EUR</td> <td data-bbox="834 1208 1008 1251">A19E</td> </tr> <tr> <td data-bbox="245 1251 834 1293"></td> <td data-bbox="834 1251 1008 1293">A19L</td> </tr> <tr> <td data-bbox="245 1293 834 1336">ROADSTER SPYDER GS 5S R 2009</td> <td data-bbox="834 1293 1008 1336">A19F</td> </tr> <tr> <td data-bbox="245 1336 834 1378"></td> <td data-bbox="834 1336 1008 1378">A19M</td> </tr> <tr> <td data-bbox="245 1378 834 1421">ROADSTER SPYDER GS 5S R 2009 EUR</td> <td data-bbox="834 1378 1008 1421">A19G</td> </tr> <tr> <td data-bbox="245 1421 834 1464">ROADSTER SPYDER GS 5S Y 2009</td> <td data-bbox="834 1421 1008 1464">A19B</td> </tr> <tr> <td data-bbox="245 1464 834 1506"></td> <td data-bbox="834 1464 1008 1506">A19H</td> </tr> <tr> <td data-bbox="245 1506 834 1549">ROADSTER SPYDER GS 5S Y 2009 EUR</td> <td data-bbox="834 1506 1008 1549">A19C</td> </tr> <tr> <td data-bbox="245 1549 834 1591"></td> <td data-bbox="834 1549 1008 1591">A19J</td> </tr> <tr> <td data-bbox="245 1591 834 1634">ROADSTER SPYDER GS SA G 2009</td> <td data-bbox="834 1591 1008 1634">A29D</td> </tr> <tr> <td data-bbox="245 1634 834 1676"></td> <td data-bbox="834 1634 1008 1676">A29K</td> </tr> <tr> <td data-bbox="245 1676 834 1719">ROADSTER SPYDER GS SA G 2009 EUR</td> <td data-bbox="834 1676 1008 1719">A29E</td> </tr> <tr> <td data-bbox="245 1719 834 1761"></td> <td data-bbox="834 1719 1008 1761">A29L</td> </tr> <tr> <td data-bbox="245 1761 834 1804">ROADSTER SPYDER GS SA R 2009</td> <td data-bbox="834 1761 1008 1804">A29F</td> </tr> <tr> <td data-bbox="245 1804 834 1847"></td> <td data-bbox="834 1804 1008 1847">A29M</td> </tr> <tr> <td data-bbox="245 1847 834 1889">ROADSTER SPYDER GS SA R 2009 EUR</td> <td data-bbox="834 1847 1008 1889">A29G</td> </tr> <tr> <td data-bbox="245 1889 834 1932"></td> <td data-bbox="834 1889 1008 1932">A29N</td> </tr> <tr> <td data-bbox="245 1932 834 1974">ROADSTER SPYDER GS SA Y 2009</td> <td data-bbox="834 1932 1008 1974">A29B</td> </tr> <tr> <td data-bbox="245 1974 834 2017"></td> <td data-bbox="834 1974 1008 2017">A29H</td> </tr> <tr> <td data-bbox="245 2017 834 2059">ROADSTER SPYDER GS SA Y 2009 EUR</td> <td data-bbox="834 2017 1008 2059">A29C</td> </tr> <tr> <td data-bbox="245 2059 834 2102"></td> <td data-bbox="834 2059 1008 2102">A29J</td> </tr> </tbody> </table> | ROADSTER SPYDER GS 5S B 2009 | A19N | ROADSTER SPYDER GS 5S G 2009 | A19D | | A19K | ROADSTER SPYDER GS 5S G 2009 EUR | A19E | | A19L | ROADSTER SPYDER GS 5S R 2009 | A19F | | A19M | ROADSTER SPYDER GS 5S R 2009 EUR | A19G | ROADSTER SPYDER GS 5S Y 2009 | A19B | | A19H | ROADSTER SPYDER GS 5S Y 2009 EUR | A19C | | A19J | ROADSTER SPYDER GS SA G 2009 | A29D | | A29K | ROADSTER SPYDER GS SA G 2009 EUR | A29E | | A29L | ROADSTER SPYDER GS SA R 2009 | A29F | | A29M | ROADSTER SPYDER GS SA R 2009 EUR | A29G | | A29N | ROADSTER SPYDER GS SA Y 2009 | A29B | | A29H | ROADSTER SPYDER GS SA Y 2009 EUR | A29C | | A29J | From the beginning of production on September 25, 2008 up to May 1 st , 2009. | See the attached complete list of serial numbers for MY2009. |
| ROADSTER SPYDER GS 5S B 2009 | A19N | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S G 2009 | A19D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A19K | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S G 2009 EUR | A19E | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A19L | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S R 2009 | A19F | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A19M | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S R 2009 EUR | A19G | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S Y 2009 | A19B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A19H | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS 5S Y 2009 EUR | A19C | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A19J | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA G 2009 | A29D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29K | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA G 2009 EUR | A29E | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29L | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA R 2009 | A29F | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29M | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA R 2009 EUR | A29G | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29N | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA Y 2009 | A29B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29H | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ROADSTER SPYDER GS SA Y 2009 EUR | A29C | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | A29J | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

- **573.6 (c) (3) Number of Vehicles Potentially Affected:**

The number of vehicles potentially affected in the United States is approximately 9 932.

- **573.6 (c) (4) Estimated percentage of Vehicles with the Defect:**

Unknown. 100% of the recalled vehicles will be subject to the remedy.

573.6 (c) (5) Description of the Defect:

A condition may exist where the operator of an involved vehicle may need to exert a force greater than expected to initiate the turning of the steering handlebar off center in order to correct vehicle drift from a straight line path. This higher than expected steering control input torque may cause a steering angle overshoot and an unexpected deviation of the vehicle from the operator's intended path. If this occurs, it can lead to a temporary out of lane excursion of the vehicle which increases the possibility of a collision with other traffic and of a drive off the road.

The condition observed is that the resistance to movement of the steering mechanism peaks at the precise moment when a movement of the steering mechanism is initiated. Immediately after the movement is initiated, the resistance reduces and steering mechanism movement responds to operator input normally.

The supplier of the Dynamic Power Steering (DPS) system is Kongsberg Inc. Supplier contact information is Mr. Marc Leclerc at 90, 28th Street Grand-Mère, province of Quebec, Canada G9T 5Z8, T. 819-533-3201 extension 457.

- **573.6 (c) (6) Chronology of Events:**

BRP investigated 14 reports received from dealers (including warranty claims) and/or consumers with allegations of customers experiencing greater than expected resistance in the steering mechanism of their vehicle. Incidents with minor injuries such as bruises to the operator were referenced in 2 of these reports and incident with fractures to the operator were referenced in one of these reports.

Extensive investigation of two of the vehicles referenced in the abovementioned reports and their corresponding Dynamic Power Steering (DPS) system boxes allowed BRP to experience the alleged condition on these vehicles. It happened very sporadically to more than one test riders. Every time it happened, the operator was always able to overcome the increased steering control resistance and to steer the vehicle somewhat as intended.

Also, inspection of DPS boxes removed from vehicles referenced in the abovementioned reports revealed no mechanical or electrical factor contributing to increased drag in the steering mechanism. Lubricant was always present in sufficient quantity and did not show any sign of deterioration from usage. A design review by external expert in this technology confirmed that the design of the DPS was state of art for its application.

Although no mechanical or electrical factor has been identified, and because the potential consequences of this condition may surprise the operator of the vehicle and cause a less

precise steering control input, BRP decided, in an abundance of caution, to conduct a voluntary safety campaign to remedy the condition.

- **573.6 (c) (8) Program for Remedy of Defect:**

BRP is currently preparing to launch a campaign to remedy the condition. All involved vehicles will be subject to the remedy.

BRP will notify each registered owner of an involved vehicle. BRP will also notify its dealers of the campaign. In addition, BRP will post a letter to dealer's attention on its dealer website along with the safety campaign bulletin. Information about the campaign will also be posted on BRP's public website www.can-am.brp.com. Vehicles will be repaired by authorized dealers. All of this will be performed at no charge.

More information and details on notification of the campaign will be submitted in a subsequent report.

Remedy:

The remedy is to re-program the Dynamic Power Steering (DPS) systems of involved vehicles to improve the smoothness of operation and to remedy the potential consequences that the described condition may lead to. The DPS system would be re-programmed to provide some assistance to the operator from the very initial phase of a steering control input. The amount of variance in the resistance to movement of the steering mechanism over a set threshold will be overcome by the assistance that the DPS will supply. This will increase predictability of steering control and will eliminate the potential of out of lane excursions.

The solution is to shield the operator from this variability of reaction of the steering mechanism by programming the DPS to assist the operator from the initial phase of a steering control input by overcoming this additional drag and keeping the steering control input torque required from the operator to a set threshold.

This new software patch is currently being tested and early results demonstrated the validity of the concept. Validation and reliability testing is ongoing and results will be communicated as they become available.

Remedy Schedule:

Description of the Remedy Schedule will be provided in a subsequent report.

If you have any questions regarding this report, please contact the undersigned (see information above).

Sincerely yours,

A handwritten signature in black ink, appearing to read "Annie Gauthier". The signature is written in a cursive, flowing style.

BRP US Inc and Bombardier Recreational Products Inc.

Annie Gauthier

Legal Counsel

T. 450-532-6107

E. annie.gauthier@brp.com

C.C. Mr. Marc Leclerc, Kongsberg Inc.