

Safety Defect and Noncompliance Report Guide for Vehicles  
**PART 573 Defect and Noncompliance Report**<sup>1</sup>

On May 15, 2013, Brammo, Inc. decided that a defect which relates to motor vehicle safety (a noncompliance with Federal Motor Vehicle Safety Standard No. \_\_\_\_\_) exists in the motor vehicles listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: June 21, 2013

Furnish the manufacturer's identification code for this recall (if applicable): \_\_\_\_\_

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled. If the recalled vehicle is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Brammo, Inc.; 550 Clover Ln.; Ashland, OR. 97520

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Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Charles Lee, Certification and Compliance Manager

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Telephone Number: 541-482-9555 x332 Fax No.: 541-552-0414

Name and Title of Person who prepared this report.

Charles Lee, Certification and Compliance Manager

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Signed: Charles Lee

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<sup>1</sup>Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5227 or by FAX at (202) 366-7882.

**I. Identify the Vehicle Models Involved in the Recall**

**2. Identify the Vehicles Involved in the Recall, for each make and model or applicable vehicle line (provide illustrations or photographs as necessary to describe the vehicle), provide:**

**Make(s):** Brammo **Model Years Involved:** 2013 **Model(s):** Empulse

**Production Dates Beginning:** 11/19/2012 **Ending:** 06/18/2013

**VIN Range Beginning:** 51RUB556XDA000025 **Ending:** 51RUB5569DA000629

**Vehicle Type:** Motorcycle **Bodystyle:** R

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

Manufacturing build records.

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**Make(s):** \_\_\_\_\_ **Model Years Involved:** \_\_\_\_\_ **Model(s):** \_\_\_\_\_

**Production Dates Beginning:** \_\_\_\_\_ **Ending:** \_\_\_\_\_

**VIN Range Beginning:** \_\_\_\_\_ **Ending:** \_\_\_\_\_

**Vehicle Type:** \_\_\_\_\_ **Bodystyle:** \_\_\_\_\_

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

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**Make(s):** \_\_\_\_\_ **Model Years Involved:** \_\_\_\_\_ **Model(s):** \_\_\_\_\_

**Production Dates Beginning:** \_\_\_\_\_ **Ending:** \_\_\_\_\_

**VIN Range Beginning:** \_\_\_\_\_ **Ending:** \_\_\_\_\_

**Vehicle Type:** \_\_\_\_\_ **Bodystyle:** \_\_\_\_\_

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

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**Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period.**

74%

**II. Identify the Recall Population**

**3. Furnish the total number of vehicles recalled potentially containing the defect or noncompliance.**

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**Total Number Potentially Affected by the Recall:** \_\_\_\_\_

**4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance:** \_\_\_\_\_

**Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled vehicles:**

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### III. Describe the Defect or Noncompliance

**5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.**

Rear tail assembly bracket can fatigue near its mounting points to frame, and then fracture or break off while being driven. It is possible that the tail assembly could then make contact with the rear wheel.

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**Describe the cause(s) of the defect or noncompliance condition.**

Shock and vibration of the mass of the tail assembly could cause metal fatigue near mounting points.

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**Describe the consequence(s) of the defect or noncompliance condition.**

Rear tail assembly could contact with rear wheel with the potential to cause loss of control.

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**Identify any warning which can (a) precede or (b) occur.**

Pre-ride visual inspection would likely show cracks near the mounting points of the rear tail assembly. There may be no warning preceding the condition while riding.

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**If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.**

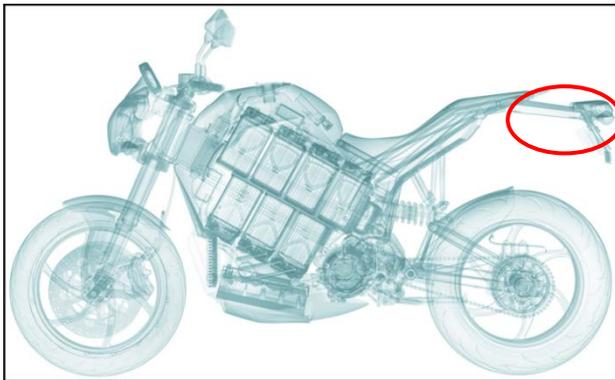
Part is supplied by external manufacturers (Brill and CLS) and built according to Brammo specifications. The part does meet Brammo specifications and is not used by any other vehicle or manufacturer. Brammo assumes the responsibility to correct the issue through the redesign of the part.

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**Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:**

N/A

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Rear tail assembly.

**IV. Provide the Chronology in Determining the Defect/Noncompliance**

*If the recall is for a defect, complete item 6, otherwise item 7.*

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

06/15/13 – Problem first reported by customer while riding Empulse R motorcycle. \_\_\_\_\_

06/17/13 – Brammo team assembled to research problem and cause. \_\_\_\_\_

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\_\_\_\_\_

**V. Identify the Remedy**

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

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Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

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Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

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**VI. Identify the Recall Schedule**

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

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**VII. Furnish Recall Communications**

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Note that these documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.