



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

1200 New Jersey Avenue SE
Washington, DC 20590

OCT 10 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marie-Claude Simard
Product Safety Manager
BRP, Inc.
726 Saint-Joseph Street
Valcourt, QC J0E 2L0
Canada

NVS-214jry
PE14-025

Dear Mme. Simard:

As you know, the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE14-025) to investigate alleged fires (and other heat-related issues) in certain Can-Am "Spyder" model 3-wheeled motorcycles manufactured by BRP, Inc. (BRP). We have 109 complaints (VOQs) filed with us by owners alleging various heat-related issues, including fires, thermal burns due to hot bodywork and fuel caps, fuel expulsion when removing the fuel cap, and fuel odor while underway and/or when the vehicle is parked. Copies of these VOQs are being supplied separately.

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 2008-2014 Can-Am Spyder 3-wheeled motorcycles produced for sale or lease in the United States.
- **"Sport" models:** all MY 2008-2014 Can-Am Spyder GS, RS, and ST models (including all trim variants).
- **Subject components:** all elements of the exhaust, fuel, and/or evaporative emission systems, and the exterior body covering used in production of subject vehicles.
- **BRP:** BRP, Inc. including, but not limited to, Bombardier Recreational Products, 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 BRP (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: poor heat management resulting in body panel and/or fuel cap heating sufficient to cause bodily injury by contact; elevated liquid fuel temperatures (up to, and including, fuel “boiling”); melting/perforation of components within the vehicle body (including but not limited to, evaporative vapor canister, evaporative system purge valve, and/or brake master cylinder); fuel odor at any time; fuel leakage from any subject component (including condensate from the vapor canister vent hose); fuel expulsion when loosening/removing the fuel cap; and/or fire (regardless of cause or origin).
 - **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 BRP, 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 BRP. 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," "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 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 BRP has previously provided a document to ODI, BRP 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 BRP'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 BRP. Separately, for each subject vehicle manufactured to date, state the following:
 - a. Vehicle identification number (VIN);
 - b. Model Year;
 - c. Model (RT SE5, RS SM5, etc.);
 - d. Model designation (e.g., C2EB, C2EC, etc.);
 - e. Date of Manufacture;
 - f. Warranty coverage start date;
 - g. Original purchaser first and last name; and
 - h. Selling dealer Can-Am number (e.g., 694784, 690354, etc.).

Provide this information in Microsoft Access 2010, entitled "PRODUCTION DATA." A template to assist with database configuration is being sent separately.

2. State the number of each of the following, received by BRP, or of which BRP 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 fire, injury, or fatality, based on claims against BRP involving a death or injury, or notices received by BRP 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 BRP is, or was, a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which BRP 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 fire occurred are to be counted as a fire 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 BRP’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. BRP’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. Fire;
 - k. Whether property damage is alleged;
 - l. Number of alleged injuries;
 - m. Number of alleged fatalities;
 - n. Whether BRP has possession of any subject component from the vehicle;
 - 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.” A template to assist with database configuration is being sent separately.

4. Produce copies of all documents related to each item (including, but not limited to, police reports, fire reports, BRP 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. Produce a current print version of a BOSSWeb “Service – Unit History” (sample provided separately) for each vehicle identified in BRP’s response to Request No. 2. Organize the documents alphabetically by vehicle owner last name.
6. Separately, for each vehicle identified in BRP’s response to Request No. 2, and where applicable, produce a current “printable version” of any and all BOSSWeb “case detail” reports. Organize the documents alphabetically by vehicle owner last name.
7. State a total count for all of the following categories of claims, collectively, that have been paid by BRP that relate to, or may relate to, the alleged defect (this is to include the installation of MY2014 body panels on earlier model year sport models): 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. BRP’s claim number;
- b. Whether the claim is emissions-related;
- c. Vehicle owner’s name, telephone number, and e-mail address;
- d. VIN;
- e. Model Year;
- f. Model;
- g. Repair date;
- h. Vehicle mileage at time of repair;
- i. Repairing facility’s Can-Am dealer number;
- j. Labor operation number or code;
- k. Problem code;
- l. Replacement part number(s) and description(s);
- m. Concern stated by the customer; and
- n. 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.” A template to assist with database configuration is being sent separately.

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.

8. Describe in detail the search criteria used by BRP to identify the claims identified in response to Request No. 7, 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 BRP 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 BRP 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.

9. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect that BRP 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 BRP customer service representatives, and/or consumers. Your response is to include all postings related to the alleged defect as found in "BOSSWeb Community" forums regardless of whether or not they include postings by BRP corporate employees. Also include the latest draft copy of any of the above described documents (excluding Community forum postings) that BRP is planning to issue within the next 120 days.
10. 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, BRP. 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.

11. Describe all modifications or changes made by, or on behalf of, BRP in the design, material composition, manufacture, quality control, supply, or installation of the following components: evaporative vapor canister (including, but not limited to, p/n 709000090); purge valve (including, but not limited to, p/n 709000108 and 709000443); roll-over valve (including, but not limited to, p/n 709000413); and LH and RH body panels (including, but not limited to, p/n 7050006878, 7050006879, 705004626, and 705004627) from the start of production to date, 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;
- d. The part numbers (service and engineering) of the original component;
- e. The part number (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 to the listed components that relates to, or may relate to, the alleged defect which may be made within the next 120 days.

12. The following relate to part number 707600580, "RH Deflector":
 - a. A description of the part and its function;
 - b. The subject vehicle model years and models where this part was used in their production;
 - c. Where this part was not used in the production of a subject vehicle ("modification or change,") provide:
 1. By model year and model, the date or approximate date on which the modification or change was incorporated into subject vehicle production;
 2. The reason for the modification or change;
 3. All documents related to BRP's decision not to build subject vehicles with a "RH Deflector."
 - d. One sample RH Deflector, p/n 707600580.
13. For all MY 2010 through 2015 Spyder RT models (including all trim variants), fully describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") wherein temperature readings were noted, for any reason, for any of the following areas: fuel tank exterior surface(s); fuel in the tank; vapor emissions canister exterior surface; brake master cylinder; and/or any exterior surface of the motorcycle body. Provide a spreadsheet listing each action and, then, for each "area," the maximum temperature(s) noted.
14. Fully describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") wherein temperature readings were noted that support BRP's marketing claim of "improved heat management" found at <http://can-am.brp.com/spyder/shopping-tools/why-choose-can-am-spyder/the-new-2014-spyder-rt.html> for the MY2014 Spyder RT models. Provide all documents comparing/contrasting the temperature readings BRP relied upon when making that claim.
15. For all MY 2008 through 2015 Spyder "sport" models, fully describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") wherein temperature readings were noted, for any reason, for any of the following areas: fuel tank exterior surface(s); fuel in the tank; vapor emissions canister exterior surface; brake master cylinder; and/or any exterior surface of the motorcycle body. Provide a spreadsheet listing each action and, then, for each "area," the maximum temperature(s) noted.)

16. Provide all documents (including certification test reports) related to BRP's motorcycle evaporative emission CARB compliance certification tests.
17. Describe, in detail, the evaporative emission control-related differences between MY 2014 ST-S with a C2EB model designation versus a MY 2014 ST-S designated as a C2EC model.
18. The following relate to BRP's fuel cap recall, NHTSA recall number 12V-582:
 - a. What data formed the foundation of BRP's claim, in its April, 2014 "Vehicle Safety Recall Quarterly Report" that 31,654 subject vehicles had been "Inspected & Remedied?"
 - b. What process did BRP institute to ensure that replacement caps, mailed to owners by BRP, were, in fact, installed?
 - c. What vehicle handling instructions, if any, were provided to subject vehicle dealers, when a vehicle is in for service and its Service – Unit History includes, under the heading "MESSAGE & ALERTS" a message titled, "Can-Am Roadster – Fuel Cap Replacement"? Provide all documents related to those handling instructions.
 - d. Provide a detailed description of the BRP-recommended process dealer personnel are to use to ensure all safety-related recalls have been completed on a subject vehicle presented for repair of any type.
 - e. In its Defect Notification Report of December 11, 2012, BRP states the remedy fuel cap is "improved." Provide a detailed description of the change(s) BRP made to the fuel cap to improve it. Provide all documents related to the development of the remedy cap including any testing to assess the new cap's effectiveness.
 - f. Provide a sample of the defect cap and the recall remedy cap.
 - g. Separately, for each of the 16 fires BRP identifies that are, or could be, within the scope of 12V-582, provide all documents related to each fire.
 - h. Separately, for each fire BRP identifies, provide all documents for each fuel-cap related fire of which BRP became aware after deciding to conduct the recall.
 - i. Provide all documents related to the "monitoring and analysis" referenced by BRP on page 3 of its December 11, 2012 Defect Notification Report.
 - j. If not provided in response to request 18i, provide all documents related to the BRP investigation(s) it references in the December 11, 2012 defect report "Chronology of Events."
19. The following relate to BRP's fuel vapor canister vent recall, NHTSA number 12V-581:
 - a. Provide a listing, in Access 2010, of each VIN BRP has identified where the recall remedy has *not* been performed on an eligible vehicle as of October 3, 2014.
 - b. Of the 9,603 vehicles involved in the recall, 3,288 had been remedied as of July, 2014 (34.2%). What, if any, actions are being considered by BRP to increase the number of remedied vehicles?
 - c. Provide all documents related to the remedy development including any testing to assess remedy effectiveness.
 - d. Separately, for each of the 30 fires BRP identifies that are, or could be, within the scope of 12V-581, provide all documents related to each fire.
 - e. Separately, for each fire BRP identifies, provide all documents for each vapor canister-related fire of which BRP became aware after deciding to conduct the recall.

- f. Provide all documents related to the “monitoring and analysis” referenced by BRP on page 3 of its December 11, 2012 Defect Notification Report.
- g. If not provided in response to request 19f, provide all documents related to the BRP investigation(s) it references in the December 11, 2012 defect report “Chronology of Events.”
- h. Provide a sample of the recall remedy vent hose, p/n 709000277 and the hose it replaces.
20. The following relate to BRP’s “Tandem Master Cylinder...Fire Hazard” recall, NHTSA number 13V-386:
- Provide a listing, in Access 2010, of each VIN BRP has identified where the recall remedy has *not* been performed on an eligible vehicle as of October 3, 2014.
 - Of the 8,189 vehicles involved in the recall, 6,349 had had been remedied as of July, 2014 (77.5%). What, if any, actions are being considered by BRP to increase the number of remedied vehicles?
 - Provide all documents related to the remedy development including any testing to assess remedy effectiveness.
 - Separately, for each of the 3 fires BRP identifies prompting its recall, provide all related documents.
 - Separately, for each fire BRP identifies, provide all documents for each Master Cylinder Manifold Inlet-related fire of which BRP has become aware after deciding to conduct the recall.
 - Provide all documents related to the “investigation” referenced by BRP in the defect report “Chronology of Events.”
 - Provide a sample of the recall remedy kit, p/n 219 800 310.
21. The following relate to “Explanations...item #3” in the following posting (“Customers have been reporting an increase in heat felt on the side panels and between the seat and the console. The [ECM update] addresses this issue with a revised fuel mapping...”):



Image 206
Aug 19, 2014
14/08/14 10:41

2013-9 warranty campaign - Explanations

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As many may have noticed BRP has released a warranty campaign which addresses all 2013 models.

I want to take this opportunity to clarify certain points

Point A: Seal the Front Fuse Boxes

This is a fairly straightforward repair. Replace the fuse box covers with the new generation type, seal the splices and positive bus-bar on the back of the fuse boxes. Pay particular attention to the sealing, more is better than not enough. The big bush of the liquid electrical tape can make it easy to smear the wax and splices. Cut the bus-bars and make yourself some cones to access the splices properly.

In this part of the campaign, if you notice any water or corrosion in the fuse boxes, or fuse burnings, open a BODS/700 case with pictures immediately and a brief description of the situation. A service rep will reply with the appropriate repair procedure. You do not want to continue the repair or do the ECM update with a compromised electrical system.

Point B: Update ECM Software

This ECM update addresses 3 issues:

- Code P1614 may be triggered and cause a limp home mode when starting the engine
- The indicator lamp and message HI TEMP may appear at engine startup, even if unit is at normal operating temperature.
- Engine heat felt by the driver may be uncomfortable.

B.U.D.S. R3.5.1 is needed for this ECM update, get this latest version ASAP.

Explanations:

- After all the throttle body updates released in the last 3 years we have another small remaining possibility of a P1614 fault code trigger. This latest update addresses this possibility by giving it a second chance before triggering the code. When the ignition switch is turned on the throttle body blades are opened to a certain degree and released making sure it closes back to 0 degrees within a given time. If the time is exceeded the code is triggered. With this latest update a 2nd chance is given, meaning if the time is exceeded the throttle blades will be cooled and close a few times below the closed position and a dose again. If the return time is within the acceptable range, no code is triggered. If the time limit is exceeded the code will be triggered. This will eliminate slightly and throttle body blades triggering the code at start-up. This is mostly seen with new throttle bodies or low mileage units (less than 1000 miles). This being said... the TST for DTG P1614 will be updated with new information on how to proceed when this code is triggered. I encourage everyone to consult the latest version.
- Some 2013 models may have experienced “overheating” at startup after the unit has been brought to operating temperature. In certain models I use the unit for 30 minutes... cool in a shade or gas station for 5-10 minutes... start the unit up and the Cluster says “HI TEMP”... “LIMP MODE”. The code triggered is P0217. The update will address this situation by: reducing the coolant temp only 30 seconds after the engine has started, allowing the coolant to circulate through the engine reducing its temperature back below the fault code trigger.
- Customers have been reporting an increase in heat felt on the side panels and between the seat and the console. The update addresses this issue with a revised fuel mapping mostly between 1000 and 2700 rpm. In some driving circumstances the heat felt may be reduced. This last part of the update is not applicable to CARB regulated units, few states that units with CARB model numbers will not be updated with this new fuel mapping but the 2 other points above will be addressed. So customers with CARB model numbers will have an ECM update done but only for the first two points. Not the third. B.U.D.S. recognizes the model number in the ECM and updates with the appropriate files.

Point C: Replace upper belt guard retaining screws (RSST models only)

Before a change was made on the assembly file, some units were produced with screws a bit too short which weren't reaching the locking nub of the nut. Replacing the screws with longer ones eliminates the possibility of the upper belt guard becoming loose or falling off.

- Fully describe the referenced “revised fuel mapping” including how it would reduce side panel heating.
- Provide all documents related to the referenced fuel mapping revision development including any testing to assess revision effectiveness at reducing side panel heating.
- Provide a spreadsheet listing those vehicles where, following referenced revision of ECU fuel mapping, owners continued to complain about “increased heat.” Using the following

column headings, provide the following information for each such vehicle: VIN, servicing Can-Am dealer number, date of ECU revision, ECU revision number, vehicle owner last name, vehicle owner first name, and vehicle owner telephone number.

22. The following relate to BRP's "Heat Dissipation Kit", p/n 715001625, for installation on certain BRP ATVs ("subject ATVs")
 - a. List kit applicability by model year and model;
 - b. Describe, in detail, what prompted BRP to release the kit;
 - c. Describe, generally, customer concern(s) addressed by the kit;
 - d. State whether BRP and/or its customers observed boiling fuel in a subject ATV fuel tank;
 - e. Provide all documents related to the kit's development including any testing to assess its effectiveness; and
 - f. Provide vehicle cutaway drawings and/or photographs showing an assembled MY 2005-7 Outlander 800cc without the body installed. Your diagram/photos should include front, rear and both side views.

23. State the number of the following components BRP has sold by component name, part number (both service and engineering/production), model and model year of the vehicle to which it applies and year/month of sale (including the cut-off date for sales, if applicable):
 - a. Evaporative vapor canister (including, but not limited to, p/n 709000090);
 - b. Purge Valve (including, but not limited to, p/n 709000108 and 709000443);
 - c. Roll-over Valve (including, but not limited to, p/n 709000413);
 - d. Brake master cylinder assembly (including, but not limited to, p/n 705600722); and
 - e. Parking brake cable (including, but not limited to, p/n 707000758, 707000927, 707001097).

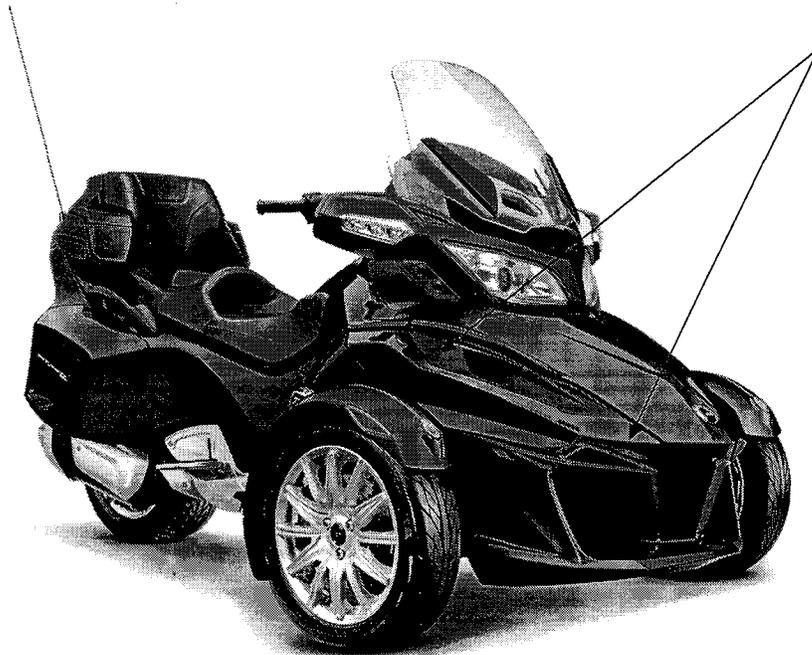
24. The following relate to the fuel system as produced on a MY2013 Spyder RT, VIN 2BXNBBC18D [REDACTED]:
 - a. Provide a detailed schematic showing how its fuel system operates; and
 - b. Separately, for each fuel system component, provide its operating fuel pressure.

25. State, the number of retrofit 2014 Air Scoop Panel kits provided to dealers and/or otherwise sold. List your response by year/month of shipment to dealers and kit part numbers (e.g., 219800339, 219800340, etc.)

26. For the alleged defect, provide all service history documents related to VIN 2BXNBBC18D [REDACTED] even if they were previously provided in response to items 1 through 22. Your response to this request should include all information related to any "Case" involving that vehicle, including, but not limited to, case number 281388.

27. As of October 3, 2014, the owner of VIN 2BXNBBC18D [REDACTED] continued to allege the vehicle emits a strong odor of gasoline when parked after riding, this following numerous attempts by a BRP dealer to mitigate the alleged issue. Provide BRP's analysis and opinion concerning this owner's fuel odor allegation and the dealer's apparent failed attempts to address it.

28. Using a spreadsheet, provide a listing of all BUDS fault codes and a description of the condition denoted by such code.
29. For each of the 109 Vehicle Owner Questionnaires (VOQs) provided with this inquiry, produce:
 - a. A current print version of a BOSSWeb “Service – Unit History” for each vehicle identified in the VOQ. Please organize the documents alphabetically by vehicle owner last name; and
 - b. A current print version of any and all “case detail” reports for each vehicle identified in the VOQ. Please organize the documents alphabetically by vehicle owner last name.
30. For the evaporative emissions canister, p/n 709000090, provide all documents (including BOSSWeb Community postings) related to the process dealer service personnel are to use when evaluating the canister’s condition.
31. Provide one each of the following service parts:
 - a. Evaporative vapor canister, p/n 709000090;
 - b. Reflective sheet, p/n 709000157;
 - c. Carpet, p/n 709000130;
 - d. Purge Valve, p/n 709000443;
 - e. Roll-over Valve, p/n 709000413;
 - f. Fuel tank, p/n 709000314;
 - g. Fuel cap, p/n 709000414; and
 - h. Brake master cylinder assembly, p/n 705600722.
32. Provide one set of the left and right side panels indicated below, as found on MY2015 Spyder RT:



33. Is BRP considering providing the panels identified in request number 30 to customers of earlier model year Spyder RTs, on a case-by-case basis, as it has done with similar body panels found on the MY2014 Spyder Sport models? Please fully explain your response.
34. Provide a listing, by Model Year and Model and initial production date (month/year) of those subject vehicles produced with a catalytic converter.
35. Provide one set each of service and owner's manuals for a MY2012 Spyder RS and MY2013 and MY2014 Spyder RTs.
36. Provide a spreadsheet listing all Can-Am dealers in the United States. Using the following column headings, please provide:
 - a. Dealer number (e.g., 694784, 690354, etc.);
 - b. Name (including DBA's);
 - c. Street number and name;
 - d. City;
 - e. State;
 - f. Zip code; and
 - g. Phone number.
37. Identify, by make, model, and model year, those motorcycles not produced by BRP wherein it believes evap canister vapors are expelled to the atmosphere when the engine is turned off. Provide all documents in support of this claim.
38. Furnish BRP'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 was occurring or that a subject component was malfunctioning; and
 - f. The reports included with this inquiry.

Legal Authority for This Request

This letter is being sent to BRP 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

BRP's failure to respond promptly and fully to this letter could subject BRP 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 BRP 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, BRP does not submit one or more requested documents or items of information in response to this information request, BRP 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 PE14-025 in BRP's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If BRP 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, BRP 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. BRP 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 or (202) 366-5253.

Due Date

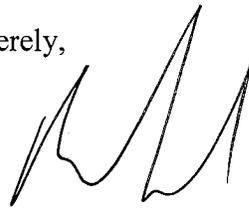
BRP's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by December 5, 2014. If BRP finds that it is unable to provide all of the information requested within the time allotted, BRP must request an extension from me

at (202) 366-0319 no later than five business days before the response due date. If BRP 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 BRP then has available, even if an extension has been granted.

Please send email notification to Mr. Bob Young at robert.young@dot.gov and to ODI_IRresponse@dot.gov when BRP sends its response to this office and indicate whether there is confidential information as part of BRP's response.

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

Sincerely,



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

Referenced 109 owner complaints (VOQ's):

10628215,10622128,10627768,10583224,10549949,10626832,10541836,10522528,
10430025,10501621,10488563,10640373,10620985,10451964,10627236,10631265,10626242,
10625899,10622350,10628178,10626680,10615793,10622523,10626248,10616468,10617819,
10629231,10547761,10631868,10616523,10622356,10622101,10621216,10621062,10495091,
10495107,10269056,10547665,10630345,10576999,10522993,10627778,10544745,10358300,
10631419,10622114,10280195,10464103,10585386,10638824,10616893,10579466,10628314,
10365063,10627336,10545679,10631290,10465230,10626861,10587190,10595183,10631703,
10621881,10464669,10544661,10534185,10616846,10616635,10622664,10574592,10547672,
10631241,10628343,10621153,10607045,10551480,10582917,10499920,10587196,10615679,
10454644,10441182,10627095,10630901,10477969,10541939,10606604,10542236,10354391,
10421571,10621082,10593913,10545719,10632763,10629665,10538604,10621271,10621966,
10621079,10627496,10618790,10587659,10422389,10279404,10626578,10627017,10627913,
10583184,10620886