



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

1200 New Jersey Avenue, SE
Washington, DC 20590

April 14, 2015

[REDACTED]
Griffin, GA [REDACTED]

NVS-215rwg
Ref. No. 10569023

Dear [REDACTED]

Thank you for your correspondence on March 19, 2014 related to your concerns about the scope of 2004 school bus recall. Your correspondence was forwarded to the National Highway Traffic Safety Administration (NHTSA). I am pleased to respond, and regret any inconvenience our delay in responding may have caused you.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

NHTSA Safety Recall Campaign No. 04V-097 involved corrosion and then failure of certain lift mounting bolts used on the wheelchair tracks used on school buses used to transport disabled children. You allege that the same bolts are used to fasten the seats to the floor on both disability adapted and non-adapted school buses, and so an additional 7,500 buses should have been recalled. In support, you provided deposition testimony from two civil cases initiated in 2005 and 2006, respectively that you feel support your concerns. Separately, you also allege that a number of the buses included in the recall were not repaired or improperly repaired.

We have carefully considered the information you supplied. We also reviewed our information and contacted several fleets and dealers to identify whether a safety defect trend might exist in vehicles beyond those included in this 2004 recall, and whether those buses that were included were not adequately repaired. We did not identify other complaints or field information from independent sources suggesting to us that there is either a scope or remedy concern. Ten years has transpired since the 2004 recall, and so the lack of field data is an important factor that must also be considered.

At this time, we have concluded that we do not have sufficient evidence to warrant opening an investigation into scope or remedy adequacy. We wish to emphasize that this is a decision based on the information we have at this point and assure you the information you provided has been entered into our database, and will be considered with future reports to identify any safety defect trends that may require our attention.

We sincerely appreciate the concerns you have raised and your cooperation and assistance in providing materials and documentation for our consideration.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Auto Safety Hotline at (888) 327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at our web site.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement