



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

1200 New Jersey Avenue SE.
Washington, DC 20590

SEP 2 - 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jeff Fulton
General Manager
Hehr International
1103 W. Pearl Street
Chesaning, MI 48616-0217

NVS-215/jtt
EQ09-007
09V-318

**Re: Distribution of Tip-In Transom Windows Involved in
Safety Recall 09V-318**

Dear Mr. Fulton:

On August 7, 2009, Daimler Buses North America, Inc. (Daimler Buses) notified NHTSA that the tip-in transom windows on certain of its model year 2006-2009 Orion VII buses were defective and that these buses would be recalled to remedy that safety defect. Specifically, Daimler Buses found that some of the screws to the tip-in transom windows may loosen and allow those windows to dislodge and fall into a bus. A copy of Daimler Buses' notification and defect information report is enclosed.

Daimler buses reported that Hehr International supplied these windows to it. The Recall Management Division (RMD) is investigating this safety recall and has assigned this investigation the number EQ09-007. The purpose of this investigation is to determine whether the same type of windows as are involved in safety recall 09V-318, or windows substantially similar to those involved in that recall, and that might contain the same safety-related defect, were distributed to other companies. To the extent your company may have sold or distributed any such windows as replacement equipment, it is also to request submission of a defect information report (Part 573 report) as to those windows (unless the company believes and provides supporting information to validate that the windows are not defective). Please provide answers to the following questions. Please restate each question prior to providing its answer.



1. Please state whether Hehr International sold or shipped the same windows as are involved in safety recall 09V-318, or windows substantially similar to those, and that may contain the same safety defect, to anyone other than Daimler Buses. If your answer is "no," then please so state. You may then disregard the remaining questions.

If your answer is "yes," then please state the total number of those windows that were distributed and the beginning and ending dates of their manufacture. Identify all design or supplier changes, or any other factors, that determine those beginning and ending dates. Please also state the number of those windows that still remain in the custody or control of Hehr International.

2. Explain the nature of the defect and how Hehr International believes it is related to motor vehicle safety. If Hehr International does not believe that there is a defect, or that the defect is safety-related, please so state and explain in detail any reasoning, testing, methodology, analysis, or any other information, that supports this conclusion.

3. List all Hehr International customers that purchased or otherwise received the same or substantially similar windows, and provide their name, address, phone number, contact person, and state the quantity sold to each, the date(s) of sale, and whether that customer is a manufacturer of motor vehicles.

4. To the extent any of the customers you identified in response to question 3 are not vehicle manufacturers, please advise us whether or not Hehr International intends to notify these customers of the defect in accordance with 49 U.S.C. § 30118(c)(1) and § 30119(d)(2).

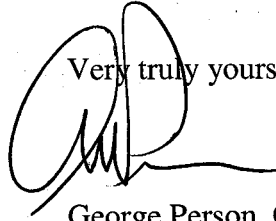
Please provide the requested information no later than three weeks from the date of this letter.

This letter is issued pursuant to 49 U.S.C. § 30166 which authorizes the NHTSA to request any information necessary in administering and enforcing the Motor Vehicle Safety Act of 1969, as amended, 49 U.S.C. 30101, et seq. Failure to respond promptly, truthfully, and completely could subject Hehr International to significant civil penalties and/or a claim for injunctive relief.

If Hehr International claims that any of the information or documents provided in response to this information request constitutes confidential material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. § 1905, the company must submit a request for confidential treatment, together with any supporting information and the materials that are the subject of that request, to the Office of Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590. Please see 49 CFR Part 512 for further instructions as to what is required to properly file a request for confidential treatment.

Please not conspicuously on your response the investigation number related to this matter (e.g., EQ09-007), and direct your response to Jennifer Timian, NVS-215. Ms. Timian's phone number is (202) 366-0209 and her email is jennifer.timian@dot.gov, should you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read 'George Person', with a large, stylized initial 'G' and a horizontal line extending to the right.

George Person, Chief
Recall Management Division

Enclosure

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Report

On August 5, 2009 , Daimler Buses North America Inc. (Daimler Buses) decided that a safety related defect 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: August 5, 2009

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.

Daimler Buses North America Inc.

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

Joe Labonte

Product Safety and Compliance Officer

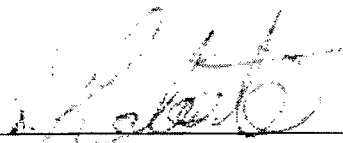
Telephone Number: (905) 403-7807 Fax No.: (905)403-8808

Name and Title of Person who prepared this report.

Joe Labonte

Product Safety and Compliance Officer

Signed:



OFFICE OF DEFECTS
INVESTIGATION
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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): Orion Model Years Involved: 2006 - 2009 Model(s): VII

Production Dates: Beginning: August 2007 Ending: June 2009

Vehicle Type: Bus Bodystyle: VII

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

Vehicle model Orion VII configured with Hehr passenger windows having a tip-in Transom window.

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.

100%

II. Identify the Recall Population

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

Model	Year	Number of Vehicles Potentially Involved
VII	2006	2
VII	2007	8
VII	2008	383
VII	2009	414

Total Number Potentially Affected by the Recall: 807 Buses

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 30 %.

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:

Vehicle model Orion VII having a certain style of Hehr windows.

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.

The passenger windows having a tip-in transom window may not be maintained correctly. An inspection of the attaching screws is required periodically.

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

The screws attaching the tip-in window may loosen. Extension shocks may not be maintained and repaired when required.

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

If not inspected and corrected the window may dislodge and fall into the bus.

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

The window may rattle and not be able to be closed. A broken shock can be readily observed.

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

Hehr International
Michigan Window Plant
1103 W. Pearl Street
P.O. Box 217
Chesaning, MI 48616-0217
Phone: 989-845-3061
Fax: 989-845-6078

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

Jeff Fulton
General Manger (Michigan plant)

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.

June 22, 2009 a window dislodged at Toronto Transit Commission (TTC).

June 30, 2009 a window dislodged and injured a passenger at TTC.

July 2009 a review of other buses at TTC found loose screws.

August 2009 a window dislodged and injured a passenger at TTC.

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.

This is not a noncompliance.

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.

The service manual has been revised. Additional verification of the tightness of screws has been implemented by Hehr.

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

To be determined.

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.

To be determined.

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.

Owners will be informed to check that the screws are tightened properly and advised to inspect and maintain them periodically. An immediate recommendation is to keep the windows closed and add a means to prevent the windows from opening. A follow-up procedure will be provided to allow the windows to open and prevent the window from dislodging.

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.

A copy of a notice(s) will be provided.
