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

1200 New Jersey Avenue SE
Washington, DC 20590

OCT 04 2011

Via USPS Certified Mail
Mr. Floyd W. Merryman, III
Sonny Merryman Inc.
5120 Wards Rd
Evington, VA 24550

NVS-215aa
EQ11-002
11E-003

Re: Safety Recall 11E-003

Dear Mr. Merryman:

The purpose of this letter is to make you aware of a potential safety problem in vehicles that you manufactured and to remind you of your responsibilities under Federal law. We also request a written response from your company upon processing the required information outlined below.

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Carrier brand EM-1 evaporator assemblies that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ11-002.

In a letter dated January 25, 2011, Carrier Corporation (Carrier) notified the NHTSA that it had decided certain GenV EM-1 evaporator assemblies, installed into school buses and shuttle buses, contain a safety related defect. Carrier stated that certain EM-1 evaporators, manufactured between January 2006 and December 2010, contain a Delphi Pack-ConIII fuse holder in an Allied Motion motor assembly. Over time, the Delphi fuse holder contacts may relax and possibly produce arcing. If sufficient arcing occurs, the fuse holder may melt, and may be accompanied by flame, smoke and potential fire. NHTSA assigned recall number 11E-003 to this matter. A copy of the respective notification is enclosed for your information.

Carrier listed Sonny Merryman Inc. (your company) as a purchaser of 524 of these defective evaporator assemblies.

Pursuant to Federal law, manufacturers of motor vehicles sold, offered for sale, delivered, or imported into the United States must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in one of their vehicles. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment

was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report. As of this date, we have not received the required report from your company.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Carrier that a defect exists in these evaporator assemblies, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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 (69 Fed. Reg. 21409 et seq; April 21, 2004), 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. Your company 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 word "CONFIDENTIAL" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ11-002.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Ric Willard
Acting Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure