



April 20, 2012

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Ave SE
Washington, DC 20590

Subject: NHTSA Recall 12V-125, Investigation ID #EQ12-004

Dear Ms. Timian:

TSE Brakes, Inc. (TSE) has received a noncompliance notification from NHTSA on April 12th 2012, via certified mail, requesting information regarding NHTSA Recall 12V-125. It references a letter dated March 22, 2012 from Spartan Motors Chassis, Inc. (Spartan) notifying NHTSA that it had decided a potential noncompliance existed in certain model year 2012 K2 and MG chassis manufactured from December 15, 2011 through January 21, 2012 and equipped with TSE 3030 actuators. The letter requests distribution information regarding the brake chambers but stated that, if TSE disagrees that the brake chambers do not meet applicable FMVSS requirements, it should submit a response documenting that conclusion. TSE also received notification from Spartan on April 12th that they had issued the NHTSA notice.

TSE response to NHTSA inquiry

TSE does not agree with Spartan that these brake actuators do not meet the applicable FMVSS requirements (using language in the NHTSA letter). TSE objects to labeling the actuator as a compliance issue when no evidence has been identified or supplied by Spartan in their notice that it could cause a compliance failure or provide a remedy to avoid one. Although TSE is not in agreement with Spartan that TSE's brake actuators have been demonstrated to be noncompliant, TSE has provided Spartan (26) free of charge chambers as a goodwill accommodation.

The product identified in this notification is produced in Mexico and shipped to the U.S. for Spartan Motors only.

There is a FMVSS 121 compliance requirement for vehicle braking performance. There is no FMVSS 121 compliance requirement for actuator performance. The actuators used on the (13) vehicles identified meet industry standard parking output force and tolerance requirements for a 3030 2.5" stroke actuator per SAE J2318.

Spartan has shared with TSE (1) draw bar test result dated November 29, 2011 and (2) draw bar test results dated February 7th, 2012. In each case, the TSE actuators used in all three tests were measured by TSE to have the same actuator parking force output (reference attachments). Spartan reported that the February 7th draw bar tests passed compliance, and that the November 29th, 2011 draw bar test did not pass compliance. This ruled out the TSE actuator as an explanation for the November 29 results due to the fact that three tests were performed with actuators having the same output force yet (2) tests significantly passed and (1) significantly failed.



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TSE has not received any test results from Spartan advising of a vehicle compliance test failure with an actuator with the parking force output equal to the actuators used on the 13 vehicles identified on the NHTSA notification.

We are continuing to work with Spartan on this matter.

We appreciate the opportunity to respond to the notice of noncompliance and would be pleased to discuss any questions you may have regarding our response.

Sincerely,

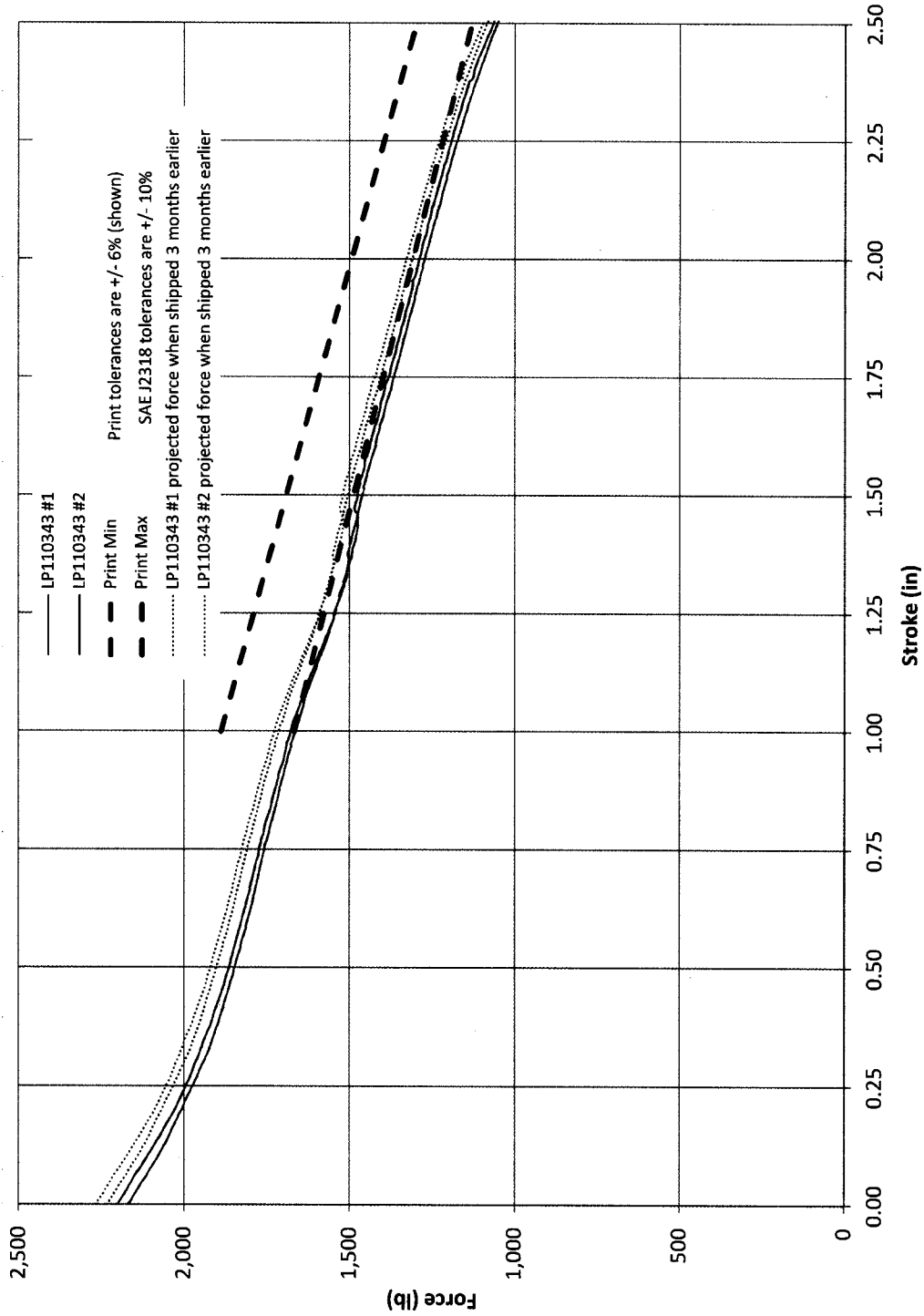
Paul Clark
VP Engineering
TSE Brakes

A handwritten signature in black ink, appearing to read 'Paul Clark', written in a cursive style.

NOV 11, SPARTAN DRAW BAR TEST

TSE 3030TL2H - 2621

Tested 12-13-11: LP110343



FEB 12, SPARTAN DRAW BAR TEST

TSE 3030TL2H

S12011N3

Tested 1-17-12: LP120022/LP120023

