

Timothy J. Nalepka  
Senior Vice President & General Counsel



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## Reliability Driven™

June 3, 2013

### BY EMAIL

National Highway Traffic Safety Administration  
Office of Defects Investigation  
1200 New Jersey Avenue, SE.  
Washington, DC 20590  
Attention: Jennifer Timian  
Chief, Recall Management Division

**Re: EQ12-011 (Meritor Recall 13E-012)**

Dear Ms. Timian:

I am in receipt of your enclosed May 15, 2013 letter to MCI Service Parts, Inc. ("MCISP") in the above matter. Please be advised that MCISP is not a vehicle manufacturer, but rather is in the business of selling aftermarket parts.

Also, with respect to the MCI entities that are vehicle manufacturers (Motor Coach Industries, Inc. and Motor Coach Industries Limited), our records indicate that MCI did not use any of the recalled parts in any vehicle manufacturing, and Meritor has confirmed that its records are consistent with our finding.

Please let me know if you need any additional information.

Sincerely,  
MCI SERVICE PARTS, INC.  
MOTOR COACH INDUSTRIES, INC.  
MOTOR COACH INDUSTRIES LIMITED

By: Timothy J. Nalepka  
Senior Vice President &  
General Counsel

Enclosure



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

1200 New Jersey Avenue SE  
Washington, DC 20590

May 15, 2013

**Via USPS Certified Mail**

Ms. Ann Schreyer  
MCI Service Parts  
7001 Universal Coach Drive  
Louisville, KY 40258

NVS-215cg  
EQ12-011  
13E-012

**Re: Safety Recall #13E-012 and EQ12-011**

Dear Ms. Schreyer:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to the sale and distribution of Meritor axles equipped with MGM J24 Series air chambers that some vehicle and equipment manufacturers have decided contain a safety related defect. This investigation has been assigned the identification EQ12-011.

In a letter dated February 27, 2013, Meritor, Inc. (Meritor) notified the NHTSA that it had decided a defect exists in certain Meritor axle models equipped with these air chambers. This recall was assigned the identification 13E-012. A copy of the respective notification is enclosed for your information. Meritor reported that it sold 72 of the Meritor axle models equipped with MGM J24 Series air chambers to MCI Service Parts (your company).

The purpose of this letter is to make your company aware of a potential safety defect in the Meritor axles supplied to your company and to remind you of your responsibilities under Federal law.

Pursuant to Federal law, a manufacturer of motor vehicles 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 their vehicles. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk and your company's obligations under Federal law should you decide your vehicles contain a safety defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with the defective MGM J-Series piston spring parking brake chambers. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.



In addition to the Defect Information Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

- a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;
- b. the approximate date on which the revised owner list will be available to initiate owner notification;
- c. the approximate date on which the owner notification will begin;
- d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and,
- e. the approximate date on which the dealer notification will be completed.

Please further note that you must file six quarterly recall status reports as required by 49 CFR 573.7. These reports are to be filed on consecutive yearly quarters beginning with the quarter in which notification to owners begins.

If your company does not agree with Meritor that a safety defect exists, your company must submit a written response explaining its decision including all supporting documents, analysis, and/or test reports.

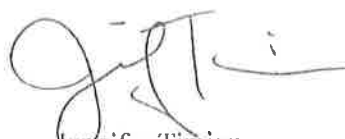
This letter is being sent to your company pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49. Your company's failure to respond promptly and fully to this letter could subject your company to civil penalties pursuant 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 EQ12-011.

If you have any questions concerning this matter, please contact Cynthia Glass of my staff at (202) 366-2920 or by e-mail at [cynthia.glass@dot.gov](mailto:cynthia.glass@dot.gov). Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail [rmd.odi@dot.gov](mailto:rmd.odi@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "J Timian". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jennifer Timian  
Chief, Recall Management Division  
Office of Defects Investigation  
Enforcement

Enclosures



**Information Requested under §573.6(c)(8) Description of Remedy**

Meritor will be contacting customers by way of a Defect Information Notice with the recommendation that they contact Meritor at their earliest convenience to schedule an inspection and , where appropriate, have the procedures described in Meritor Technical Publication No. TP-1338 (copy attached) performed on their vehicles.

Meritor is in process of developing the Notice and accompanying service instructions and will submit that information to NHTSA as soon as available. The following is an approximate schedule for the program:

3/5/13 Complete revised notification to affected customers  
3/19/13 Distribute notification to affected customers

In addition, Meritor has determined that, to the extent any of the potentially affected axles were remedied prior to this notification, it was done at no expense to the vehicle owners and occurred through Meritor's warranty system. Therefore, Meritor does not believe that a general pre-notification reimbursement remedy program is required.

We trust that the information provided in this document is fully responsive to the requirements of 49 CFR §573.5. All additions or modifications to any of the information given will be reported promptly to NHTSA. Any questions with respect to the information provided should be directed to the undersigned.

Respectfully Submitted,

Meritor  
Christine Wright  
Project Manger  
Product Safety and Compliance

Attached:

Appendix A – List of Affected Customers and Quantities  
TP-1338



APPENDIX A  
LIST OF AFFECTED CUSTOMERS AND QUANTITIES

OEM	Quantity
Autocar LLC	2148
Daimlerchrysler Commercial Buses North America Inc	402
Emergency One Inc.	32
Ferrara Fire Apparatus	202
Hendrickson Mobile Equipment	16
Kovatch Mobile Equipment Corp	70
Meritor	6
Prevost Car Inc.	2
Seagraves Apparatus Division	12

Aftermarket	Quantity
All Systems Brake Services	1
Amazing American Tours, Inc.	1
Autocar, LLC	1
Ballard Mark Sales and Service	1
CFB Kingston	2
CUSA FL LLC	1
Ferrara Fire Apparatus	3
Fleetpride	1
Frank Martz Coach Co.	1
Fun Tours C/P DC Trails	1
Greenwood Emergency Vehicles	1
MCI	3
MCI Service Parts	69
Meritor Canada	2
Motor Parts Co.	1
National Trails	1
Naylor Automotive Engineering	2
Neals Truck Parts	2
Prevost Car	1
Ransome International LLC	1
Rolling V Bus Co.	1
Rush Truck Center, Phoenix	3
Sault Ste Marie Tribe of	1
TEC of California, Inc.	2
Total Truck	1
Uni-Select	6
Uni-Select/Fleet Parts	2
Wade Tours	1

**RECEIVED**

By Recall Management Division at 2:19 pm, Feb 27, 2013

13E-012  
(4 pages)



**MERITOR**

February 27, 2013

National Highway Traffic Safety Administration  
1200 New Jersey Ave. S.W.  
Washington, D.C. 20590  
Attention: Associate Administrator of Enforcement

Email: RDM.ODI@DOT.gov

Re: Defect Information Report relating to J24 series air chambers shipped to Meritor between  
→ November 23, 2010 and October 22, 2012, by supplier MGM Brakes. The air chambers  
were manufactured by MGM Brakes between November 23, 2010 and March 31, 2012.

Meritor File: C-13AA

NHTSA File: Not Assigned

Ladies & Gentlemen:

Meritor, Inc. submits this Defect Information Report in accordance with 49 CFR 573.6.  
the information is presented to correspond to the sub-paragraphs of section 573.6(c).

**Information Requested under §573.65(c)(1) Manufacturer Submitting Report**

Meritor, Inc.  
2135 West Maple Road  
Troy, Michigan 48084-7186

**Information Requested under §573.6(c)(2) Identification of Affected Product**

This report covers the following Meritor axle models which were built with the suspect  
MGM J24 series air chambers:

E2-3276X24	E8-3276X24
E3-3276X24	A71-3276P16
E4-3276X24	A79-3276X16
E5-3276X24	A72-3276P24
E7-3276X24	B98-3276D30

04-051012



**Information Requested under §573.6(c)(3) Potential Affected Vehicle Population**

Meritor estimates approximately 3003 air chambers installed on the forgoing Meritor axle models require inspection in North America to locate the 2100 suspect air chambers supplied by MGM Brakes.

**Information Requested under §573.6(c)(4) Percentage of Affected Vehicles**

MGM has informed Meritor that it calculated the failure rate on the affected population to be approximately 1% of the suspect air chambers.

**Information Requested under §573.6(c)(5) Description of Defect or Noncompliance**

MGM has informed Meritor that it implemented a design change which, according to field reports, allows for intermittent leakage of air past the seal. If insufficient air pressure exists, the spring becomes “uncaged” and applies force to the brake. Depending on the amount of leakage, the brake can drag while the vehicle is in service or prevent the wheel from rotating.

**Information Requested under §573.6(c)(6) Chronology of Principal Events Leading to Determination of a Safety Defect**

- |          |   |
|----------|---|
| 5/30/12  | Meritor was contacted by Ferrara fire apparatus concerning MGM MJB 2424ET chambers experiencing intermittent leakage of air out of chamber vents.   |
| 9/19/12  | Navistar advised NHTSA that it is recalling certain MGM J24 series air chambers   |
| 9/25/12  | Meritor received reports of chamber failures resulting in dragging brakes on 5 Orion buses.   |
| 10/19/12 | MGM Brakes sent a letter to inform Meritor of a potential spring side leak issue with the Type 24 MGM J-series piston parking brake actuator. MGM stated that under certain circumstances, the issue may lead to a dragging or partially dragging brake and ultimately a hot wheel report on the vehicle. |
| 10/23/12 | New Flyer Industries advised NHTSA that it is recalling certain MGM J24 series air chambers.  |
| 1/24/13  | Daimler Buses North America advised NHTSA that it is recalling certain MGM J24 series air chambers installed on axles it received from Meritor.   |

**Information Requested under §573.6(c)(7) Information Used in Determination of a Noncompliance**

There is no impact of this issue towards non-compliance with a motor vehicle standard.