SERVAgroup

January 31, 2014

Cynthia Glass
Office of Defects Investigation Enforcement
Recall Management Division, NHTSA
BY EMAIL: rmd.odi@dot.gov and cynthia.glass@dot.gov

RE: Safety Recalls EQ 14-002, 13E-050

Dear Ms. Glass,

On behalf of SERVAGroup, please accept this response to OID's Safety Recalls inquiry of January 16, 2014. SERVAGroup has performed a due diligence investigation into the statements and questions provided in the NHTSA correspondence, and responds as follows:

There appears to have been some misinformation provided to NHTSA from SurePower, Inc. The battery equalizers and DC-DC converters which were purchased by SERVAGroup from SurePower, Inc., were not purchased for the purpose of installation on, nor was the component actually installed on, passenger buses. SERVAGroup manufactures oil field equipment, and does not now nor has it ever in the past, manufactured passenger buses.

Additionally, SERVAGroup does not believe that it is subject to the Safety Act regulations which are cited throughout the January 16, correspondence. The equipment manufactured and sold by SERVAGroup consists of specialized well completion equipment used in the drilling, completion, and servicing of oil and gas wells. The Company's diversified product lines include equipment for well stimulation, cementing and coil tubing applications plus ancillary pumps, well servicing pumps, and fluid ends. This equipment does not spend a majority of its operational time on public roadways, but rather, this oil field equipment was primarily manufactured for and does spend a majority of its operational time on oil and gas well sites off of public roadways.

As we understand the decision in *Koehring Company v. Adams*, 454 F.Supp. 635, 636 (E.D. Wisconsin 1978), *affirmed* 605 F. 2d 280 (7th Cir. 1979), as it concerned " mobile cranes, mobile excavators, and mobile well drills," which are only driven on public roadways from job site to job site, and otherwise spend a majority of its operational time off the road, are not "motor vehicles," because they are not manufactured "primarily" for use on public roadways. SERVAGroup's equipment is of the same type as that described in the *Koehring* case. Thus, such equipment does not appear to be subject to regulation under the Safety Act.

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Notwithstanding the jurisdictional issue, SERVAGroup is committed to its customers' safety and will be immediately undertaking notification to all customers who have purchased oilfield equipment which were manufactured with the indicated SurePower, Inc., components and will provide each customer the Recall Notice and contact information for SurePower, Inc., so that they may obtain replacement parts from SurePower. Additionally, for inclusion in your file if warranted, please be advised that following receipt of the equipment query from NHTSA, during the due diligence process our company conducted, we have not located any complaints or service requests for work on the subject components, which relate to or appear to be similar to the issues giving rise to the SurePower, Inc., recall determination.

We appreciate the opportunity to respond to this inquiry and welcome any further questions you may have. Please direct those to our legal counsel:

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Sincerely,

Angela Porter

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