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

1200 New Jersey Avenue SE
Washington, DC 20590

VIA Email – Delivery and Read Receipt Requested

May 11, 2016

Mr. Doug Jackson
Terex Advance
7727 Freedom Way
Fort Wayne, IN 46818

NEF-150kjs
EQ16-002
15E-065

Subject: Safety Recall 15E-065

Dear Mr. Jackson:

The National Highway Traffic Safety Administration's (NHTSA), Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain drive axles. This investigation has been assigned the identification number EQ 16-002.

In a report dated August 11, 2015, Marmon-Herrington notified the NHTSA that it decided a defect exists in certain Marmon-Herrington drive axles, model numbers MT14, MT17, MT22, R17, and R22. The affected axles are equipped with hex nuts on the flange yoke that may not have been properly tightened. If the hex nuts are not tightened to specification, the driveshaft may disconnect from the drive axle, resulting in a loss of propulsion and increasing the risk of a crash. This matter was assigned recall number 15E-065. A copy of the notification is enclosed for your information.

Marmon-Herrington reported to NHTSA that it sold 119 of these drive axles to Terex Advance for possible installation into vehicles. The purpose of this letter is to make you aware of a potential safety defect in vehicles your company may have manufactured, and to remind you of your responsibility under Federal Law.

For you background, 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. The notification and information report must be submitted electronically through the agency's Recalls Portal. To access the portal and register as a manufacturer, go to: http://www.safercar.gov/Vehicle+Manufacturers and use the appropriate link on the left side of the page. Questions concerning how to register for an account and other issues associated with use of the portal may be directed to the Recalls

Portal Helpdesk toll free at 1-888-719-9220 or by email at recalls.helpdesk@dot.gov**. Hard and E-mailed copies are not accepted. Please do not send them to this office.**

In view of this safety risk and your company's obligations under Federal law, should you decide your vehicles contain a safety defect, you must notify NHTSA of that decision and file a defect information report. We are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with these drive axles. 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.

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 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 that vehicles it manufactured with these drive axles are defective, and therefore will not conduct a safety recall of the vehicles, you must submit a written response explaining that decision and include all supporting documents, analysis, and/or test reports. DO NOT submit that response or any materials through the Recalls Portal. Rather, send correspondence and materials directly to Kelly Schuler of my staff at Kelly.schuler@dot.gov.

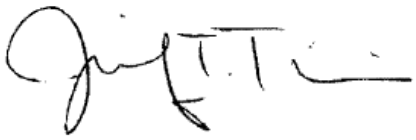
This letter is being sent to your company pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49. Your company's failure to respond promptly and fully to this letter could subject your company to civil penalties pursuant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

Whether your company is filing a recall notice and information report, or filing an explanation, that information is due 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 ***EQ16002.***

If you have any questions concerning this matter, please contact Kelly Schuler at (202) 366-5227 or by e-mail at Kelly.schuler@dot.gov.

Sincerely,



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

Enclosure