



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

400 Seventh Street, SW
Washington, DC 20590

**ACKNOWLEDGEMENT FAX SHEET OF RECEIPT OF NONCOMPLIANCE INFORMATION
REPORT SUBMITTED UNDER 49 CFR PART 573**

Assigned Recall No. **04V-366** by the
National Highway Traffic Safety Administration

Part 573 Report Date: **July 23, 2004**

Date Faxed/E-Mailed: **August 2, 2004**

MANUFACTURER: **North American Bus Industries, Inc.**

MANUFACTURER CONTACT: **Dan Allen, Director of Product Engineering**

FAX: **256-831-4299**

SUBJECT: 153 NABI 2003-2004 60LFW transit buses fail to comply with the requirements of Federal Motor Vehicle Safety Standard No. 217, "Bus Emergency Exits and Window Retention and Release." The first emergency egress window located on the curb side of the vehicle, immediately behind the entrance door, will not open sufficiently to allow a person to escape in the event of an emergency. NABI Recall No. 20042.

This is an acknowledgment for this recall. A formal acknowledgment letter will be written only if we have additional comments or concerns.

This recall was the subject of an investigation, PE-217-040610, conducted by the Office of Vehicle Safety Compliance.

Under 49 U.S.C. § 30112(a), it is illegal for anyone, including a manufacturer, distributor, dealer, or retailer to sell an item of equipment or vehicle that fails to comply with all applicable Federal motor vehicle safety standards.

We have reviewed your proposed owner notification letter and it does not meet the requirements of Part 577. Please change the word "determined" to "decided" in the first paragraph second sentence, (NABI) has decided that ...".

Also a risk needs to be added in the "Reason for this recall?" paragraph, i.e., In the event of an emergency situation, this condition could prevent passengers from exiting the bus, which could cause personal injury or death.

As stated in Part 573.6, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. As stated in your report, the recall was expected to begin during July or August 2004. Therefore, the first quarterly report will be due by October 30, 2004.

If you have any questions, please call:



Patricia Wallace, Safety Defects Analyst on (202) 366-5232 or
George Person, Chief on (202) 366-5210
or Fax at (202) 366-7882
or e-mail at Patricia.Wallace@nhtsa.dot.gov
Recall Management Division