

05V-097
(7 pages)

Safety Defect and Noncompliance Report Guide for Equipment
PART 573 Defect and Noncompliance Responsibility and Reports¹

On MARCH 7, 2005, TARASPORT TRAILERS, INC. [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. 223) exits in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Responsibility and Reports.

Date this report was prepared: MARCH 9, 2005

Furnish the manufacturer's identification code for this recall (if applicable): NA

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

TARASPORT TRAILERS, INC.

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

C. WAYNE ISBILL, PRESIDENT

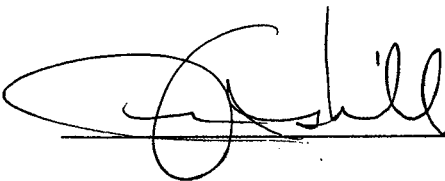
Telephone Number: 423-337-4660 Fax No.: 423-337-6399

Name and Title of Person who prepared this report.

JEANNE ISBILL

VICE PRESIDENT & SECRETARY

Signed:



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DEFECTS INVESTIGATION

¹ Each manufacturer must furnish a report, to the Associate Administrator for Enforcement, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. George Person at (202) 366-5210 or by FAX at (202) 366-7882.

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: REAR IMPACT GUARD'S HORIZONTAL MEMBER

Make: TARASPORT **Model:** DROP DECK

Part Number: NA **Size:** 40' TO 53' OVERALL LENGTH

Function: OVER THE ROAD GENERAL FREIGHT CARRIER

Other information which characterizes/distinguishes the items of equipment to be recalled:

1998 - 2005 MODEL TRAILERS WITH A 24" GROUND TO CHASSIS MAIN BEAM
DIMENSION AND HAS REAR AXLE SET FORWARD OF REAR.

Make: TARASPORT **Model:** STRAIGHT DECK

Part Number: NA **Size:** 35' TO 53'

Function: OVER THE ROAD GENERAL FREIGHT CARRIER

Other information which characterizes/distinguishes the items of equipment to be recalled:

1998 - 2005 MODEL TRAILERS WITH A STRAIGHT DECK AND HAS REAR
AXLE SET FORWARD OF REAR.

Make: **Model:**

Part Number: **Size:**

Function:

Model Years Involved:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: **Model:**

Part Number: **Size:**

Function:

Other information which characterizes/distinguishes the items of equipment to be recalled:

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period. 6%

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

Items	Year	Number of
<u>Model</u>	<u>Year</u>	<u>Potentially</u>
<u>Involved</u>		

Total Number Potentially Affected by the Recall: 35

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance: 100%

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment:

THE DATES WERE SELECTED FROM THE EFFECTIVE DATE OF FMVSS NO. 223 TO DATE OF RECEIPT OF POSSIBLE NONCOMPLIANCE NOTICE. ORIGINAL PRODUCTION ORDERS DETERMINED WHICH TRAILERS WERE EQUIPPED WITH THE "REAR IMPACT GUARD" WITH THE 63.5MM VERTICAL HEIGHT HORIZONTAL MEMBER.

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

THE HORIZONTAL MEMBER OF OUR "REAR IMPACT GUARD" HAS A VERTICAL HEIGHT OF 63.5MM (2 1/2 INCHES). IT SHOULD HAVE A VERTICAL HEIGHT OF AT LEAST 100MM (4 INCHES).

Describe the cause(s) of the defect or noncompliance condition.

WE SIMPLY OVERLOOKED THE 100MM HEIGHT REQUIREMENT WHEN SUMMARIZING THE BUMPER WE WOULD DEVELOP.

Describe the consequence(s) of the defect or noncompliance condition.

WE HAVE NOT RECEIVED ANY CUSTOMER CALLS OR COMPLAINTS. RETROFITTING THE TRAILERS WITH A 100MM VERTICAL HEIGHT HORIZONTAL MEMBER SHOULD RESOLVE THE NONCOMPLIANCE WITHOUT CONSEQUENCE.

Identify any warning which can (a) precede or (b) occur.

NONE

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

NA

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

NA

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

THE NONCOMPLIANCE WAS AN OVERSIGHT ON OUR PART DURING THE DESIGN
OF OUR REAR IMPACT GUARD. THE POSSIBLE NONCOMPLIANCE IN THE VERTICAL
HEIGHT OF THE HORIZONTAL MEMBER WAS BROUGHT TO OUR ATTENTION BY
NHTSA.

V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

WE WOULD NOTIFY EACH CUSTOMER OF THE NONCOMPLIANCE BY CERTIFIED
LETTER. WE WOULD OFFER TO RETROFIT THEIR REAR HORIZONTAL MEMBER
HERE AT OUR FACILITY AT NO CHARGE OR TO SHIP TO THEIR LOCATION
AND REIMBURSE THEIR EXPENSE TO HAVE THE HORIZONTAL MEMBER
RETROFITTED LOCALLY.

9. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

WE WOULD BUILD A READY TO INSTALL 100MM REAR HORIZONTAL MEMBER.
THE HORIZONTAL MEMBER WHICH WAS A 63.5MM VERTICAL HEIGHT WOULD
BE REMOVED AND REPLACED WITH THE NEW 100MM VERTICAL HEIGHT MEMBER.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

THE ONLY DIFFERENCE IS THE REMEDY COMPONENT WILL HAVE 100MM
VERTICAL HEIGHT.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

THE PRODUCTION REMEDY IS IDENTICAL TO THE RECALL REMEDY. WE
DISCONTINUED THE 63.5MM HIGH HORIZONTAL MEMBER FROM OUR PRODUCTION
AND REPLACED WITH THE 100MM MEMBER. WE HAD NO UNSOLD/STOCK TRAILERS
THAT REQUIRED THE RECALL REMEDY.

VI. Identify the Recall Schedule

10. Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

WE DO NOT FORSEE ANY PROBLEMS IN RETROFITTING THESE REAR GUARDS
WITH A 100MM VERTICAL HEIGHT HORIZONTAL MEMBER. UPON APPROVAL
WE CAN NOTIFY OUR CUSTOMERS AND HAVE THESE HORIZONTAL MEMBERS
BUILT AND READY TO INSTALL OR SHIP WITHIN FIVE WORKING DAYS.

VII. Furnish Recall Communications

11. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Note: These documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.