

Noncompliance Report Guide for Equipment  
**PART 573 Defect and Noncompliance Responsibility and Reports<sup>1</sup>**

On Aug. 31, 2007, EAGLE EYES [MFR] decided that a noncompliance with Federal Motor Vehicle Safety Standard No. 108 exists 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: September 10 2007

Furnish the manufacturer's identification code for this recall (if applicable): N/A

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.

Manufacturer: Eagle Eyes Traffic Industrial Co., LTD. No.27 Lane 764 Chung Shan N. Rd. Yung Kang City, Tainan Hsion, Taiwan R.O.C

Designated Agent: Ali Kamarei, Esq. 280 Colorado Ave Palo Alto CA 94301

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

Mr. Chas Lee: Sales Manager of Eagle Eyes Traffic Industrial Co., LTD. Should you not be able to reach me you can also contact Alexander Chen at 626 823 4811.

Telephone Number: 011-886-6-2336618 ext 200 Fax No.: 011-886-6-2331522

Cell Number 886-932-716-288 Email: chas@eagleeyes.com.tw

Name and Title of Person who prepared this report.

Mr. Chas Lee

Sales Manager

Signed:

Chas Lee

<sup>1</sup> Each manufacturer must furnish a report, to the Associate Administrator for Enforcement, for each noncompliance condition.

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:**

**Make:** Eagle Eyes **Model:** Nissan Altima 2000-2004

**Part Number:** DS517-B001L/R **Size:** N/A

**Function:** Original Equipment Replacement Headlamp

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

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**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.**

**II. Identifying the Recall Population**

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

<u>Items</u>		<u>Number of</u>
<u>Model</u>	<u>Year</u>	<u>Potentially</u>
<u>Involved</u>		
DS517-B001L	2002-2004	5756
DS517-B001R	2002-2004	5544

**Total Number Potentially Affected by the Recall:** 11300

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the 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:

Based on the NHTSA Request for Information it was determined by Eagle Eyes Traffic Industrial Co., LTD that the part numbers listed did not meet the FMVSS No.108 standard for the photometric performance of both the upper and lower beams.

### III. Describe the Noncompliance

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

Parts listed do not meet the requirement in FMVSS No. 108 paragraphs S7.5 (b) , S7.5 (c) though S7.5 (e), and S7.8.5.3 (e)(1) for the photometric performance of the upper and lower beams on these lamps.

Describe the cause(s) of the noncompliance condition.

DS517-B001L/R: The optical surface of the reflector is corroded, the mould has the variation, after repairs, producing directly without the confirmation.

Describe the consequence(s) of the noncompliance condition.

Failures for the photometric performance of both the upper and lower beams.

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

N/A

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

N/A

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

N/A

### IV. Provide the Chronology in Determining the Noncompliance

**6. 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.**

Per test conducted by NHTSA's Office of Vehicle Safety Compliance concerning Eagle Eyes Traffic Industry's model numbers DS517-B001L and DS517-B001R, it was determined by the test that there are photometric failures for both the upper and lower beam. To date, no consumer complaints associated with this light has been received, nor have there been any accidents, injuries, fatalities or warranty claims made to us as a result of this non-compliance.

#### **V. Identify the Remedy**

**7. A description of the manufacturer's program for remedying the 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.**

Eagle Eyes Traffic Industrial Co., LTD intend to implement a voluntary recall to all customers who purchased the parts listed. Return of noncompliant parts will be exchanged for parts that are compliant to the regulation. It is estimated that compliant parts will be ready for exchange in U.S within 90 days. This 90 days period is required in lieu of the time to correct the design, to engage CALCOAST-ITL for a confirmation of compliance of the replacement part, and to ship the replacement items to the U.S. Recall program will initiate immediately at the time the compliant parts are ready for shipment in the U.S. Customers will be reimbursed of any shipping charges associated with this exchange.

**8. Clearly describe the differences between the recall condition and the remedy.**

Non-compliant part contains failures associated with photometric performance of the upper and lower beams on these lamps. Replacement part will be free of these failures.

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

Eagle Eyes will engage CALCOAST-ITL to perform lighting test to confirm that the replacement light will be meet the requirement of FMVSS No. 108

**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.**

We have currently suspended production of the headlights until we remedy the non-compliance issues.

**VI. Identify the Recall Schedule**

**9. 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 have initiated the correction of design and am going to engage CALCOAST-ITL to perform lighting test on the replacement part to confirm full compliance with FMVSS No.108 standard. Upon receiving proper authorization, we will notify our customers on or about December 11 2007 and provide them with an official letter to which proper returning instructions will be provided and any assistance they may need to process the return will be offered.

**VII. Furnish Recall Communications**

**10. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the 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 noncompliance condition on, not just the initial**

**notification. A DRAFT copy of the notification documents should be submitted to the Office of Defects Investigation 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.**