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RECALL MANAGEMENT DIVISION

5 February, 2007

07V-068
(13 pages)

George Person
Head - Recall Management Division
US DOT – National Highway Traffic Safety Administration
Office of Defects Investigation (NVS-215)
400 Seventh St. S.W.
Washington, DC 20590

Subject: Compliance Recall – Flashing Decel Lamps – 49 CFR 571.108 – S5.5.10 (d)

Dear Mr. Person:

This letter is written to inform you of New Flyer Industries' intention to declare a recall for those buses supplied to our customers with flashing deceleration lamps, on vehicles manufactured from 1994 and 2003.

These lamps located on the rear of the vehicle activate during vehicle deceleration either through activation of the service brake and/or during transmission retarder operation. These lamps were supplied at the customers request in a flashing configuration which is contrary to FMVSS 49 CFR 571.108 Lamps, reflective devices and associated equipment S5.5.10 (d) which states "All other lamps should be wired to be steady-burning".

Most applications will require only a programming change to the on-board PLC (Programmable Logic Controller) system, others will require some basic re-wiring to make the lamps burn steady. Customers who can be corrected via programming changes each will have a different PLC program depending upon bus model, engine and transmission type and other customer related specifications.

**Headquarters/
Winnipeg Facility**

711 Kernaghan Avenue
Winnipeg, Manitoba
R2C 3J4 Canada

Ph: (204) 224-1251
Fx: (204) 224-0551
E: bussales@newflyer.com

**Customer
Services**

25 DeBaets Street
Winnipeg, Manitoba
R2J 4G5 Canada

Ph: (204) 982-8400

**New Jersey Service
Support Center**

808 Garfield Avenue
Jersey City, New Jersey
07305-4423 USA

Ph: (201) 369-1200
Fx: (201) 369-0345

**New Product
Development**

Unit 7, 45 Beghin Avenue
Winnipeg, Manitoba
R2J 4B9 Canada

Ph: (204) 982-8413
Fx: (204) 654-4941

**Crookston
Facility**

214 5th Avenue SW
Crookston, Minnesota
56716 USA

Ph: (218) 281-5752
Fx: (218) 281-5672

**St. Cloud
Facility**

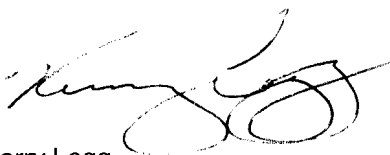
6200 Glenn Carlson Drive
St Cloud, Minnesota
56301 USA

Ph: (320) 203-0576
Fx: (320) 203-0584

It is our intention to contact customers asking that they request either new programming or re-wiring instructions (as applicable) through New Flyer Technical Services. The target population for this recall only represents 14% of our actual production during that time period and does not affect all customers.

If you have any further questions please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerry Legg", with a stylized flourish at the end.

Kerry Legg
Safety and Compliance Manager
Customer Service Support
Office (204) 934-4876
Fax (204) 224-0248
email kerry_legg@newflyer.com .

cc: H. Peper, C. Murray, D. Bean, S. Halbesma, T. Sutherland

Attachments: 573 Defect Report,
Sample Letter to Customer,

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Report¹

On 26 January, 2007, New Flyer decided that a noncompliance with Federal Motor Vehicle Safety Standard No. 108 S5.5.10 (d) exists in the motor vehicles listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: 5 February, 2007

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

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled. If the recalled vehicle is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

New Flyer Industries Canada ULC

Customer Services Head Office,

25 DeBaets St.

Winnipeg, Manitoba, Canada,

R2J 4G5

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

Kerry Legg

Safety & Compliance Manager

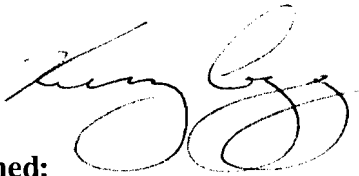
PH: (204) 934-4876

Fax: (204) 224-0248

Name and Title of Person who prepared this report.

Same as above

Signed:



I. Identify the Vehicle Models Involved in the Recall

2. Identify the Vehicles Involved in the Recall:

Make(s): New Flyer Model Years Involved: 2001-2002 Model(s): C30LF

Production Dates: Beginning: 2001 Ending: 2002

VIN Range: Beginning: 021707 Ending: 021709

VIN Range: Beginning: 024011 Ending: 024042

Vehicle Type: Heavy Duty Transit Bus Body style: CNG 30 Foot Low Floor

Make(s): New Flyer Model Years Involved: 2001-2002 Model(s): C35LF

Production Dates: Beginning: 2001 Ending: 2002

VIN Range: Beginning: 021705 Ending: 021706

VIN Range: Beginning: 023424 Ending: 023454

VIN Range: Beginning: 023536 Ending: 023548

VIN Range: Beginning: 023999 Ending: 024010

Vehicle Type: Heavy Duty Transit Bus Body style: CNG 35 Foot Low Floor

Make(s): New Flyer Model Years Involved: 1996-1997 Model(s): C40HF

Production Dates: Beginning: 1996 Ending: 1997

VIN Range: Beginning: 016753 Ending: 016771

VIN Range: Beginning: 017655 Ending: 017679

Vehicle Type: Heavy Duty Transit Bus Body style: CNG 40 Foot High Floor

Make(s): New Flyer Model Years Involved: 1996-2004 Model(s): C40LF

Production Dates: Beginning: 1996 Ending: 2004

VIN Range: Beginning: 016686 Ending: 016771

VIN Range: Beginning: 018036 Ending: 018040

VIN Range: Beginning: 018428

VIN Range: Beginning: 018932 Ending: 018975

VIN Range: Beginning: 019273 Ending: 019276

VIN Range: Beginning: 019311 Ending: 019315

VIN Range: Beginning: 021090 Ending: 021110

VIN Range: Beginning: 022166 Ending: 022170

VIN Range: Beginning: 022720 Ending: 022739

VIN Range: Beginning: 023227 Ending: 023233

VIN Range: Beginning: 024504 Ending: 024521

VIN Range: Beginning: 027002 Ending: 027005

Vehicle Type: Heavy Duty Transit Bus Body style: CNG 40 Foot Low Floor

Make(s): New Flyer Model Years Involved: 1996-2000 Model(s): D30LF

Production Dates: Beginning: 1996 Ending: 2000

VIN Range: Beginning: 016684

VIN Range: Beginning: 017253 Ending: 017311

VIN Range: Beginning: 017839 Ending: 017848

VIN Range: Beginning: 018316 Ending: 018337

VIN Range: Beginning: 018862 Ending: 018929

VIN Range: Beginning: 020988 Ending: 021000

Vehicle Type: Heavy Duty Transit Bus Body style: Diesel 30 Foot Low Floor

Make(s): New Flyer Model Years Involved: 1995-2002 Model(s): D35LF

Production Dates: Beginning: 1995 Ending: 2002

VIN Range: Beginning: 015810 Ending: 015824

VIN Range: Beginning: 017139 Ending: 017159

VIN Range: Beginning: 017551 Ending: 017566

VIN Range: Beginning: 019277 Ending: 019291

VIN Range: Beginning: 021701 Ending: 021704

VIN Range: Beginning: 022883 Ending: 022892

VIN Range: Beginning: 023595 Ending: 023605

Vehicle Type: Heavy Duty Transit Bus Body style: Diesel 35 Foot Low Floor

Make(s): New Flyer **Model Years Involved:** 1994-2003 **Model(s):** D40LF
Production Dates: **Beginning:** 1994 **Ending:** 2003

VIN Range: **Beginning:** 016102 **Ending:** 016106

VIN Range: **Beginning:** 016254

VIN Range: **Beginning:** 016519 **Ending:** 016547

VIN Range: **Beginning:** 016712 **Ending:** 016714

VIN Range: **Beginning:** 016841 **Ending:** 016847

VIN Range: **Beginning:** 016865 **Ending:** 016874

VIN Range: **Beginning:** 017227 **Ending:** 017252

VIN Range: **Beginning:** 017347 **Ending:** 017391

VIN Range: **Beginning:** 017432 **Ending:** 017498

VIN Range: **Beginning:** 017521 **Ending:** 017536

VIN Range: **Beginning:** 017547 **Ending:** 017550

VIN Range: **Beginning:** 017567 **Ending:** 017607

VIN Range: **Beginning:** 018063 **Ending:** 018112

VIN Range: **Beginning:** 018843

VIN Range: **Beginning:** 019292 **Ending:** 019296

VIN Range: **Beginning:** 020482 **Ending:** 020514

VIN Range: **Beginning:** 020691 **Ending:** 020790

VIN Range: **Beginning:** 020794 **Ending:** 020843

VIN Range: **Beginning:** 021830 **Ending:** 022165

VIN Range: **Beginning:** 022253 **Ending:** 022259

VIN Range: **Beginning:** 022851 **Ending:** 022860

VIN Range: **Beginning:** 023194 **Ending:** 023195

VIN Range: **Beginning:** 023590 **Ending:** 023594

VIN Range: **Beginning:** 024857 **Ending:** 024866

Vehicle Type: Heavy Duty Transit Bus **Body style:** Diesel 40 Foot Low Floor

Make(s): New Flyer **Model Years Involved:** 1999-2002 **Model(s):** D45S

Production Dates: **Beginning:** 1999 **Ending:** 2002

VIN Range: **Beginning:** 018597

VIN Range: Beginning: 019169 Ending: 019271

Vehicle Type: Heavy Duty Transit Bus Body style: Diesel 45 Foot Suburban

Make(s): New Flyer Model Years Involved: 1994-1998 Model(s): D60HF

Production Dates: Beginning: 1994 Ending: 1998

VIN Range: Beginning: 015233 Ending: 015257

VIN Range: Beginning: 018489 Ending: 018543

Vehicle Type: Heavy Duty Transit Bus Body style: Diesel 60 Foot High Floor

Make(s): New Flyer Model Years Involved: 1999-2000 Model(s): D60LF

Production Dates: Beginning: 1999 Ending: 2000

VIN Range: Beginning: 019425 Ending: 019434

VIN Range: Beginning: 020515 Ending: 020524

Vehicle Type: Heavy Duty Transit Bus Body style: Diesel 60 Foot Low Floor

Make(s): New Flyer Model Years Involved: 1998 Model(s): L40LF

Production Dates: Beginning: 1998 Ending: 1998

VIN Range: Beginning: 018041 Ending: 018045

Vehicle Type: Heavy Duty Transit Bus Body style: LNG 40 Foot Low Floor

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Recalled vehicles display flashing lamps on the rear of the vehicle during transmission retarder function and/or service brake system applications.

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.

14 %

II. Identify the Recall Population

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

<u>Model</u>	<u>Year</u>	<u>Number of Vehicles Potentially Involved</u>
C30LF	2001-2002	35
C35LF	2001-2002	58
C40HF	1996-1997	44
C40LF	1996-2004	160
D30LF	1996-2000	173
D35LF	1995-2002	92
D40LF	1994-2003	936
D45S	1999-2002	104
D60HF	1994-1998	80
D60LF	1999-2000	20
L40LF	1998	5

Total Number Potentially Affected by the Recall: 1707

4. Furnish the approximate percentage of the total number of vehicles 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 vehicles:

Recalled vehicles identified above, had either; a mechanical or solid state flasher device wired into the vehicle, or a programmed flashing function in the vehicle Programmable Logic Control (PLC) system to make the Deceleration lamps flash. Initially these lamps were installed as a safety device at the purchasing agent's request.

III. Describe the Defect or Noncompliance

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

Recalled vehicles were provided with two flashing “Deceleration” lamps on the rear of the vehicle as a warning system to drivers following or approaching from the rear. These lamps would flash while the vehicle was slowing down due to either the transmission retarder function or a service brake application.

This is contrary to 49 CFR 571.108 Lamps, reflective devices and associated equipment S5.5.10 (d) which states “All other lamps should be wired to be steady-burning”.

Describe the cause(s) of the noncompliance condition.

These two lamps may be have been red or amber in color, may have been wired to flash simultaneously or alternately (as directed by the original purchasing agent). Deceleration lamps may have been the functioned by either an electronic flasher module wired into the bus electrical circuitry, or as a result of New Flyer supplied programming of the on-board PLC system, depending upon the year of manufacture and model of the bus.

Describe the consequence(s) of the noncompliance condition.

N/A

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

N/A

If the defect or 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 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.

Manufacturing requests for Flashing Deceleration lamps (Decel Lamps) as a safety feature, were generated by the original purchasing agent of the vehicles during pre-production negotiations. Not all purchasers requested this function. This was not a standard function of all buses manufactured.

Issue of non-compliance brought to New Flyer's attention during similar pre-production meetings and a review of the FMVSS standards. Since that time all requests for flashing Decel Lamps have been denied.

V. Identify the Remedy

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

Customer/owners will be contacted to inform them of the issue of non-compliance with their vehicles.

Customer/owners will be directed to contact their Regional Product Support Manager for either:

- 1) instructions to rewire the electrical system to remove the flashing function; or
- 2) new PLC programming which will make the lamps burn steady.

The type and complexity of correction will depend upon the type of flasher installed and model of vehicle.

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

Remedied vehicles will not display flashing lamps on the rear of the vehicle.

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.

No purchasing agent requests for flashing deceleration lamps have been authorized or incorporated into New Flyer production vehicles since 2004.

VI. Identify the Recall Schedule

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.

Instructions for modification will be provided upon request, with some modification instructions being more complex than others.

Labor times to complete each instruction/corrective action will vary with bus model and type of flasher function installed.

Some of the recalled vehicles may no longer be in service (retired) or will have been scrapped.

VII. Furnish Recall Communications

9. 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 that these documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.

XX February, 2007

“Contact Name”
“Customer Name”
“Customer Address”

**Re: Recall 07V-XXX - Non-Compliance with FMVSS Regulation 49 CFR 571.108
Flashing Decel Lamps**

Dear “Contact Name”,

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

New Flyer has decided that a condition of non-compliance which relates to motor vehicle safety exists in certain New Flyer transit vehicles. The following vehicles which were originally delivered and sold to “Customer Name”, are affected:

Make: New Flyer Transit Vehicle

Model: “Model”

VIN Range (last 6 digits): “VIN range”

The subject vehicles were supplied by New Flyer with flashing Deceleration lights (Decel Lamps) on the rear of the vehicle. These lamps will flash during vehicle deceleration when the transmission retarder is active or during a service brake application.

This flashing function of the lamps is in contravention to 49 CFR 571.108 Lamps, Reflective Devices and Associated Equipment – S5.5.10 (d) which states “All other lamps should be wired to be steady-burning”.

For specific instructions on how to correct this issue of non-compliance with Federal regulations, New Flyer urges you to contact either your Regional Product Support Manager “RPSM” at “RPSM Contact#” or New Flyer Customer Services at (204) 934-4874.

If you no longer own this vehicle, please inform us when you call. Federal regulations require that any entity receiving this notice which leases vehicles involved in the recall, must forward a copy of this notice to the leaser within ten days.

This recall is being managed by New Flyer and all labor associated with this corrective action is to be filed as a Warranty Claim to the New Flyer Warranty Department. If you had this corrective action performed before you received this letter, you may be eligible to receive reimbursement for the cost of obtaining a pre-notification remedy of the problem associated with this recall.

If we fail, or we are unable to remedy this defect without charge and, within a reasonable time, you may submit a written complaint to:

Administrator
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC, 20590

or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153);
or go to: <http://www.safercar.gov> .

We regret any inconvenience which this action may cause you. However, we are concerned about your safety. Thank you for your attention to this important matter.

Sincerely,

Kerry Legg
Safety & Compliance Manager
New Flyer Customer Service Support
(204) 934-4876

cc: "RPSM", Hans Peper, Cliff Murray, Don Bean, Scott Halbesma, Todd Sutherland.