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2007 JUNE -8 P 2:30

DEFECTS INVESTIGATION
RECALL MGMT DIV

June 7, 2007

Mr. George Person
Head - Recall Management Division
US DOT - National Highway Traffic Safety Administration
Office Of Defects (NBS-215)
400 - 7th Street S.W.
Washington, DC 20590

07V-265
(12 pages)

Re: Gillig Safety Recall - Cummins ISM C876 (EPA-07) Software

Dear Mr. Person:

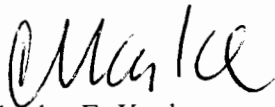
On June 5, 2007, Gillig was notified about a safety recall on 2007 ISM engines with specific serial numbers. The recall effects two Gillig buses.

Cummins discovered an error in the software programming of specific engines which could lead to elevated exhaust temperatures.

Gillig has provided the VIN and contact information to Cummins for the two Gillig buses involved, and Cummins will conduct the recall. If you have any questions please give me a call at 510-264-5031 or e-mail chuck.koske@gillig.com

Sincerely,

GILLIG CORPORATION



Charles E. Koske
Senior Vice President, Engineering

CEK/vo
Attachment

cc: Robert Birdwell
Steve Enochian

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

On June 6, 2007 the Gillig Corporation [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. _____) 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: June 7, 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.

Gillig Corporation 25800 Clawiter Road Hayward, Ca 94545

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

Charles E. Koske Sr. Vice President Engineering

Telephone Number: (510) 264-5031 Fax No.: (510) 264-3897

E-mail: chuck.koske@gillig.com

Name and Title of Person who prepared this report.

Charles E. Koske
Sr. Vice President Engineering

Signed: _____

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

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5227 or by FAX at (202) 366-7882.

I. Identify the Vehicle Models Involved in the Recall

2. Identify the Vehicles Involved in the Recall, for each make and model or applicable vehicle line (provide illustrations or photographs as necessary to describe the vehicle), provide:

Make(s): Gillig **Model Years Involved:** 2007 **Model(s):** Phantom & low floor transit buses

Production Dates: not significant **Ending:** not significant

VIN Range: : not significant – uses of specific Cummins serial number engines identifies recall population

Vehicle Type: Bus **Bodystyle:** high & low floor bus

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

Use of specific engine serial number engines as provided by Cummins

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.

This doesn't really apply the two buses involved were built with pre-production versions of the 2007 emission level Cummins engine.

II. Identify the Recall Population

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

Model	Year	Potentially Involved	Number of Vehicles
Phantom	2007	1	
Low Floor	2007	1	

Total Number Potentially Affected by the Recall: 2

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance:

Gillig has no knowledge – 100% are being repaired.

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:

See Cummins 573 report – 100% will be recalled and repaired.

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.

See the Cummins 573 report. An error in the aftertreatment regeneration software could lead to unintended high exhaust temperature which could present a fire hazard in certain situations according to the Cummins report.

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

See the Cummins 573 report.

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

See the Cummins 573 report

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

See the Cummins 573 report.

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

The engine is supplied to Gillig by Cummins Inc

Cummins Inc.
500 Jackson Street
Columbus, Indiana 47201

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

Mr. Steven R. Butler Engine Certification Director

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.

See attached Cummins 573 report . Gillig knows of no reports, accidents, injuries, or fatalities on their buses related to this defect.

V. Identify the Remedy

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

Cummins will conduct a safety recall campaign. See attached Cummins' 573 report for details of the software replacement.

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

See the Cummins 573 Report.

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.

See the Cummins 573 Report.

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.

Gillig has already supplied Cummins the Vehicle serial numbers and contact information to enable them to conduct the recall.

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.

The Privacy Act of 1974 - Public Law 93-579, As Amended: This information is requested pursuant to the authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response maybe used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or statistical summary thereof, may be used in support of the agency's action



May 23, 2007

Associate Administrator for Enforcement
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Sir or Madam:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's reporting regulations, 49 CFR Part 573.6.

Cummins Inc. (Cummins) has decided that there is a potential safety-related defect with respect to the Electronic Control Module (ECM) software in ISM CM876 (EPA-07) diesel engines manufactured by Cummins and installed as original equipment in those motor vehicles referenced below.

1. Product identification and customer channels.

This defect exists in the ECM of all Cummins ISM CM876 (EPA-07) diesel engines produced for on highway vehicle applications from April 1, 2006 through March 21, 2007. There are 782 North American engines in the subject population, which comprise the entire production involved.

All ISM CM876 (EPA-07) engines in the subject population are covered by this recall. The ISM CM876 (EPA-07) vehicles eligible for the ECM software safety campaign contain engines having serial numbers ranging from 35157011 to 35192741. A complete listing of the subject populations by vehicle manufacturer is attached in Appendix A..

- 2. Identification of the item:** ECM Software
Engine Make: Cummins
Model: ISM CM876 (EPA-07)
Part Number: Multiple Calibrations
Function: Controls Aftertreatment Operation

3. Estimated extent of defect population.

The subject ECM software is present in the entire population of 782 engines.

4. Description of defect.

In all operating conditions the Cummins Electronic Control Module (ECM) inhibits aftertreatment regeneration below 5.1 Miles per hour (mph) road speed. However, in consideration of some operating conditions, the OEMs have designed their vehicles to inhibit aftertreatment regeneration at road speeds greater than 5.1 mph. This is accomplished through direct input to the Cummins ECM via a command from the vehicle electronic control unit (VECU) or from a driver actuated dash switch. The software programming error in the Cummins ECM fails to recognize the OEM vehicle inputs and thereby creates a risk of unintended (or unexpected) elevated exhaust temperatures, which, while not involving a risk of fire in the vehicle itself, could present a fire hazard in a situation where the vehicle's exhaust is in close proximity to materials or substances that can melt, burn, or explode.

5. Chronology of events.

During a calibration revision effort in March of 2007 it was discovered that the inhibit feature in the ECM software was disabled in all ISM CM876 (EPA-07) calibrations. This was promptly corrected in new engine production on March 22, 2007 with ESN First of 35192741. On May 17th, 2007 these activities led to a management decision to conduct a safety campaign on ISM CM876 (EPA-07) engine built from April 1st 2006 to March 21st, 2007.

To date, Cummins is not aware of any injuries, fatalities, or accidents/crashes that were the result of this defect.

6. Remedy program.

Cummins will perform a voluntary campaign to install new ECM software on the engine serial range noted in this document. The software will recognize dash switch input and or OEM Preset messages to inhibit aftertreatment regenerations. The cost incurred by the campaign will be covered by Cummins Inc.

7. Part 577 notice letter.

The customer notice letter is being submitted with this 573 Form. Please acknowledge NHTSA's review and acceptance of this draft letter.

8. Conduct of recall campaign.

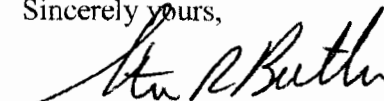
Subject to concurrence of its OEM customers, Cummins will be conducting the respective recalls with the customers of each OEM.

9. Customer/owner notifications.

Notifications are expected to begin in June 2007, once Cummins is in receipt of the OEM recall authorizations and customer lists.

Please advise the undersigned of the recall campaign number assigned by the Office of Defects Investigation to this recall. Cummins campaign code for this recall will be C0709.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steven R. Butler". The signature is fluid and cursive, written over the printed name.

Steven R. Butler

Director – Product Safety

Phone: 812-377-3713

Fax: 812-377-3265

E-mail: steven.r.butler@cummins.com

Appendix A

OEM NAME	No. of Engines
American LaFrance Corp.	11
Autocar	5
Crane Carrier Company	1
Emergency One, Inc.	3
Ferrara	1
FWD (Seagrave) Corporation	2
Gillig Corporation	2
Grove Worldwide	43
Indiana Phoenix	1
International Truck and Engine Corp.	67
Interstate Assembly Systems	1
Kenworth	405
KME Firetruck	1
Motor Coach Industries, Inc.	3
Oshkosh Trucking Corporation	2
Peterbilt Motors	213
Pierce Manufacturing	2
Spartan Motors	4
Terex Advance Mixer	2
Vanhool Coach	1
Misc. Cummins + Distributors	<u>12</u>
Total	782

Cummins Inc.
Box 3005
Columbus, Indiana
47202-3005 USA

DRAFT

June x, 2007

Customer Address
XXXXXXXXXXXXXX
XXXXXXXXXXXXXX
XXXXXX

***** IMPORTANT SAFETY NOTICE *****

Dear Customer:

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

Cummins Inc. has decided that a defect which relates to motor vehicle safety exists in ISM CM876 (EPA-07) engines manufactured from April 1, 2006 through March 21, 2007. We believe that your Cummins engine listed below was manufactured during that time period:

Engine Serial Number: XXXXXXXXX
Vehicle Manufacturer: XXXXXXXXX XXXXX
Vehicle Serial Number: XXXXXXXXXXXXXXXXX

In all operating conditions the Cummins Electronic Control Module (ECM) inhibits aftertreatment regeneration below 5.1 mph road speed. However, in consideration of some operating conditions the OEMs have designed their vehicles to inhibit aftertreatment regeneration at road speeds greater than 5.1 mph. This is accomplished through direct input to the Cummins ECM via a command from the vehicle electronic control unit (VECU) or a driver actuated dash switch. A software programming error in the Cummins ECM fails to recognize the previously stated inputs. If the vehicle's tailpipe is located near material or surfaces that are susceptible to melting, burning or exploding this could possibly result in a fire.

To correct the defect described above, we urge you to contact the nearest Cummins Distributor or Cummins-authorized Warranty Dealer to arrange for Cummins Campaign C0709 to be completed on your engine. They will work with you to schedule the best date for your software update. The campaign consists of updating the engine's electronic control module (ECM) with new software that corrects this defect.

The software update will be completed free of charge (parts and labor). The repair will require approximately 1 hour to complete.

If you are a lessor of vehicles with engines that are in the affected population, Federal Law requires vehicle lessors receiving this recall notice to forward a copy of this notice to the lessee within ten (10) days. You may be eligible to receive a reimbursement for the

cost of obtaining a pre-notification remedy related to this recall. Please note our contact number below.

If you have questions or concerns about this campaign, please contact your local Cummins Distributor. You may also contact the Cummins Customer Assistance Center at 1-800-DIESELS (1-800-343-7357).

If you have a complaint relative to this campaign, you may report it to the following:

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

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

We apologize for the inconvenience this campaign may cause. Cummins is initiating this action because of the sense of responsibility Cummins has for customer safety and customer satisfaction with our products. Thank you for your attention to this matter.

Sincerely,

Bryan Rathert
Executive Director – Service Engineering
Cummins Inc.