



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

September 23, 2008

MR. BOB MATHENY
CONTROLLER
TROLLEY ENTERPRISES, INC.
998 S MILITARY TRAIL
DEERFIELD BEACH, FL 33442

NVS-215paw
08V-468

SUBJECT: THRESHOLD WARNING SYSTEM/FMVSS 404/RICON

DEAR MR. MATHENY:

This letter serves to acknowledge Trolley Enterprises, Inc.'s notification to the National Highway Traffic Safety Administration (NHTSA) of a safety noncompliance with Federal Motor Vehicle Safety Standard No. 404, "Platform Lift Installations in Motor Vehicles,." in the products described below for which a safety recall campaign shall be conducted pursuant to 49 U.S.C. § 30119.

Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

TROLLEY/TROLLEY BUS/2005-2006

NHTSA Campaign Number: 08V-468

Mfg's Report Date: September 11, 2008

Components: EQUIPMENT ADAPTIVE

Potential Number of Units Affected: 7

Summary:

TROLLEY IS RECALLING 7 MY 2005-2006 TROLLEY BUSES EQUIPPED WITH RICON PLATFORM STYLE WHEELCHAIR LIFTS. THESE VEHICLES FAIL TO COMPLY WITH THE REQUIREMENTS OF FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 404, "PLATFORM LIFT INSTALLATIONS IN MOTOR VEHICLES." THE THRESHOLD WARNING SYSTEM MAY NOT DETECT THE PRESENCE OF A WHEELCHAIR OR MOBILITY AID USER IN A CERTAIN SPOT WITHIN THE DEFINED THRESHOLD AREA.

Consequence:

THE USER OF THE LIFT COULD BE INJURED SHOULD THE LIFT MOVE UNINTENTIONALLY.

Remedy:

TROLLEY IS WORKING WITH RICON TO CORRECT THE WHEELCHAIR LIFTS FREE OF CHARGE (PLEASE SEE 07E095). OWNERS MAY CONTACT RICON AT 1-818-267-3000 OR TROLLEY AT 1-800-303-1493.

Notes:

CUSTOMERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).

This recall was the subject of an Equipment Query, EQ08-011, conducted by the Office of Defects Investigation.

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/dealer notification letter and it does not meet all the requirements of Part 577.

The second paragraph should read: "Trolley Enterprises, Inc. is recalling certain MY 2005-2006 Trolley Buses equipped with Ricon wheelchair lifts for failing to comply with the requirements of Federal Motor Vehicle Safety Standard No. 404, "Platform Lift Installations in Motor Vehicles." This decision was based on information provided by the Ricon Corporation."

Please provide the following additional information and be reminded of the following requirements:

Copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

As stated in your report, Ricon will be handling the remedy and quarterly reporting for this campaign. However, please be advised that 49 CFR 573.6 provides that the vehicle manufacturer is responsible for any safety related defect or any noncompliance in the vehicle or any item of original equipment. If Ricon's campaign is not satisfactory, you may be required to conduct a follow-up notification.

Your contacts for this recall will be Pat Wallace or Delia Lopez, who may be reached by phone at 202-366-5232 or 202-366-9525 or by email at Patricia.wallace@dot.gov, Delia.lopez@dot.gov, or through the office email at RMD.ODI@dot.gov. We look forward to working with you for successful completion of this recall campaign.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Wallace" followed by a small flourish.

George H. Person
Chief, Recall Management Division
Office of Defects Investigation
Enforcement