



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

1200 New Jersey Avenue SE
Washington, DC 20590

November 20, 2008

MR. DICK SEYBOLT
PRESIDENT/CEO
DIAMOND COACH CORPORATION
P.O. BOX 489
OSWEGO, KS 67356

NVS-215dgl
08V-599

SUBJECT: THRESHOLD WARNING SYSTEM/FMVSS 404/RICON

DEAR MR. SEYBOLT:

This letter serves to acknowledge Diamond Coach Corporation'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 on 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:

DIAMOND/VIP/2005-2007

NHTSA Campaign Number: 08V-599

Components: EQUIPMENT ADAPTIVE

Potential Number of Units Affected: 66

Mfg's Report Date: September 9, 2008

Summary:

DIAMOND COACH IS RECALLING 66 MY 2005-2007 VIP MOTOR COACHES 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 ON 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:

DIAMOND COACH 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 DIAMOND COACH AT 620-795-2191.

Notes:

DIAMOND COACH RECALL NO. RIC-08. 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 letter and it does not meet the requirements of Part 577.

- First paragraph should read: "This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act."
- Second paragraph should read: "Diamond Coach Corporation has decided that certain model years 2005-2007 VIP coaches fail to conform to Federal Motor Vehicle Safety Standard No. 404, "Platform Lift Installations on Motor Vehicles," and No. 403, "Platform Lift Systems for Motor Vehicles."
- A description of the noncompliance needs to be added, i.e., "The noncompliance of the FMVSS 404 is the result of the threshold warning system not detecting the presence of a wheelchair or mobility aid user in a certain spot within the defined threshold area, and FMVSS 403 is the result of the anti stow interlock system not detecting the presence of a wheelchair or mobility aid user."
- An evaluation of the risk to motor vehicle safety, i.e., "The user of the lift could be injured should the lift move unintentionally."
- A paragraph concerning reimbursement for prior repairs also needs to be added, i.e., "If you had this repair 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."

The information in your noncompliance report appears to satisfy the requirements of 49 CFR 573.6.

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).

Diamond Coach must file a sample of the envelope which you intend to use to mail the recall notice to owners. The words "SAFETY", "RECALL", "NOTICE" in any order must be printed on the envelope in larger font than the customers name and address.

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 black ink, appearing to read "G. Person", written in a cursive style.

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