



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

1200 New Jersey Avenue SE
Washington, DC 20590

December 8, 2008

MR. MATT SAUSAMAN
DIRECTOR OF SUPPORT OPERATIONS
TURTLE TOP
67819 STATE ROAD 15
NEW PARIS IN 46553

NVS-215dgl
08V-633

SUBJECT: FMVSS 403/ANTI-STOW INTERLOCK/RICON

DEAR MR. SAUSAMAN:

This letter serves to acknowledge Turtle Top's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety noncompliance with Federal Motor Vehicle Safety Standard No. 403, "Platform Lift System Accessible for 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:

TURTLE TOP/FORD ODYSSEY/2005-2007
TURTLE TOP/FORD TERRA TRANSIT/2005
TURTLE TOP/FORD VAN TERRA/2005-2006
TURTLE TOP/GM ODYSSEY/2006-2007
TURTLE TOP/GM ODYSSEY XL/2005-2006
TURTLE TOP/GM TERRA TRANSPORT/2005-2006

NHTSA Campaign Number: 08V-633

Mfg's Report Date: November 26, 2008

Components: EQUIPMENT ADAPTIVE

Potential Number of Units Affected: 121

Summary:

TURTLE TOP IS RECALLING 121 MY 2005-2007 FORD ODYSSEY, MY 2005 FORD TERRA TRANSIT, MY 2005-2006 FORD VAN TERRA, MY 2006-2007 GM ODYSSEY, MY 2005-2006 GM ODYSSEY XL, AND MY 2005-2006 GM TERRA TRANSPORT BUSES EQUIPPED WITH RICON PLATFORM STYLE WHEELCHAIR LIFTS. THESE LIFTS FAIL TO COMPLY WITH THE REQUIREMENTS OF FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 403, "PLATFORM LIFT SYSTEMS FOR MOTOR VEHICLES." THE ANTI-STOW INTERLOCK MAY NOT DETECT THE PRESENCE OF A WHEELCHAIR OR MOBILITY AID USER. THE PRESSURE SENSING SWITCH THAT DETECTS THE PRESENCE OF WEIGHT ON THE PLATFORM WAS NOT ADJUSTED TO THE NECESSARY SENSITIVITY LEVEL. THE LIFT COULD STOW EVEN THOUGH SOMEONE OR SOMETHING IS STILL ON THE LIFT.

Consequence:

A LIFT OCCUPANT CAN BE INJURED SHOULD THE LIFT BEGIN TO STOW UNINTENTIONALLY.

Remedy:

TURTLE TOP IS WORKING WITH RICON TO CORRECT THE WHEELCHAIR LIFTS FREE OF CHARGE (PLEASE SEE 07E097). OWNERS MAY CONTACT RICON AT 1-818-267-3000 OR TURTLE TOP AT 1-574-831-4340.

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.

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:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, 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).

Turtle Top 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.

You are required to provide an estimated date including month, day, and year, when you will send notifications to owners, dealers, and distributors as soon as it becomes available.

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