



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

1200 New Jersey Avenue SE
Washington, DC 20590

December 16, 2008

MS. LAURIE RICKAWAY
WARRANTY ADMINISTRATOR
TEXAS BUS SALES INC.
PO BOX 10213
HOUSTON TX 77018

NVS-215dgl
08V-656

SUBJECT: THRESHOLD WARNING SYSTEM/FMVSS 404/RICON

DEAR MS. RICKAWAY:

This letter serves to acknowledge Texas Bus Sales 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:

ELDORADO/AEROELITE 290/2006
ELDORADO/AEROLITE 210/2001
ELDORADO/AEROTECH 200/2000
ELDORADO/AEROTECH 270/2005
TURTLE TOP/TERRA TRANSPORT/2005

NHTSA Campaign Number: 08V-656

Mfg's Report Date: December 8, 2008

Components: EQUIPMENT ADAPTIVE

Potential Number of Units Affected: 13

Summary:

TEXAS BUS IS RECALLING 13 MY 2005 TURTLE TOP TERRA TRANSPORT, MY 2006 ELDORADO AEROELITE 290, MY 2001 AEROLITE 210, MY 2000 AEROTECH 200, AND MY 2005 AEROTECH 270 BUSES BUILT ON ELDORADO NATIONAL – KANSAS CHASSIS AND 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:

TEXAS BUS 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 TEXAS BUS AT 1-713-681-3600.

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.

We have reviewed your proposed owner letter and it does not meet the requirements of Part 577.

Please change the first paragraph after the salutation to read i.e., "Texas Bus is recalling 13 MY 2005 Turtle Top Terra Transport, MY 2006 Eldorado Aeroelite 290, MY 2001 Aerolite 210, MY 2000 Aerotech 200 and MY 2005 Aerotech 270 buses built on Eldorado National – Kansas chassis and 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."

A reimbursement paragraph 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. For more information contact Texas Bus Sales at ...or Eldorado National at ...".

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

Please provide us with the beginning and ending dates for the build date range of vehicles affected by this recall.

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).

Texas Bus 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". The signature is fluid and cursive, with a large initial "G" and a stylized "P".

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