

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Responsibility and Reports¹

On Nov. 1, 2007, 2008, RICON CORP. [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. 403) 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 Responsibility and Reports.

Date this report was prepared: 11-25-2008

Furnish the manufacturer's identification code for this recall (if applicable): 07E-095

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.

TURTLE TOP

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

MATT SAUSAMAN
DIRECTOR OF SUPPORT OPERATIONS

Telephone Number: 574-831-4340 Fax No.: 574-831-4349

Name and Title of Person who prepared this report.

JANET KERCHER-DUDLEY
STANDARDS ENGINEER

Signed:

 11-25-2008

RECEIVED
2008 DECEMBER 2 - 10:00 AM
OFFICE OF RECALL
MANAGEMENT DIVISION

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

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): TURTLE TOP Model Years Involved: 2005-08 Model(s): FORD ODYSSEY

Production Dates: Beginning: 02-09-05 Ending: 01-18-08

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: BUS Bodystyle: BUS

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

MID-SIZE BUS BODY BUILT ON A FORD E450

CUTAWAY CHASSIS AND ENCOMPASSES WHEELCHAIR OCCUPANTS.

Make(s): TURTLE TOP Model Years Involved: 2005 Model(s): FORD TERRA TRANSIT

Production Dates: Beginning: 01-11-05 Ending: 09-19-05

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: BUS Bodystyle: BUS

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

MID-SIZE BUS BODY BUILT ON A FORD E450

CUTAWAY CHASSIS AND ENCOMPASSES WHEELCHAIR OCCUPANTS.

Make(s): TURTLE TOP Model Years Involved: 2005-08 Model(s): FORD VAN TERRA

Production Dates: Beginning: 02-07-05 Ending: 01-09-08

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: _____ Bodystyle: _____

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

MID-SIZE BUS BODY BUILT ON A FORD E350

CUTAWAY CHASSIS AND ENCOMPASSES WHEELCHAIR OCCUPANTS.

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 Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Vehicles of all Vehicles manufactured during that time period.

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): Turtle Top Model Years Involved: 2006-08 Model(s): GM ODYSSEY

Production Dates: Beginning: 06-14-06 Ending: 01-18-08

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: BUS Bodystyle: BUS

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

Mid-size bus body built on a GENERAL MOTORS C3500 cutaway chassis and encompasses wheelchair occupants.

Make(s): Turtle Top Model Years Involved: 2005-07 Model(s): GM ODYSSEY XL

Production Dates: Beginning: 05-16-05 Ending: 10-01-07

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: BUS Bodystyle: BUS

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

Mid-size bus body built on a GENERAL MOTORS C4500 & C5500 cutaway chassis and encompasses wheelchair occupant

Make(s): Turtle Top Model Years Involved: 2005-08 Model(s): GM TERRA TRANSPORT

Production Dates: Beginning: 02-17-05 Ending: 12-27-07

VIN Range: Beginning: VARIOUS Ending: VARIOUS (VINS NOT IN SEQUENTIAL ORDER)

Vehicle Type: BUS Bodystyle: BUS

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

Mid-size bus body built on a GENERAL MOTORS C3500 cutaway chassis and encompasses wheelchair occupants.

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 Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Vehicles of all Vehicles manufactured during that time period.

II. Identify the Recall Population

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

| Model | Year | Number of Vehicles Potentially Involved |
|--------------------|------|-----------------------------------------|
| FORD ODYSSEY | 2005 | 2 |
| FORD ODYSSEY | 2006 | 25 |
| FORD ODYSSEY | 2007 | 21 |
| FORD ODYSSEY | 2008 | 8 |
| FORD TERRA TRANSIT | 2005 | 40 |
| FORD VAN TERRA | 2005 | 7 |
| FORD VAN TERRA | 2006 | 9 |

* Continued below

Total Number Potentially Affected by the Recall:

188

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 96.3%

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:

FROM INFORMATION PROVIDED BY RICON CORPORATION, THEY DETERMINED WHEELCHAIR LIFT PRODUCTS BUILT BETWEEN APRIL 1, 2005 & OCTOBER 9, 2007, IDENTIFIED BY SERIAL NUMBERS, WERE SOLD TO TURTLE TOP (TERRA TRANSIT) TO BE 181 TOTAL POTENTIALLY DEFECTIVE LIFTS. BASED ON DATABASE QUERY FOR VEHICLES BUILT WITH RICON LIFTS INSTALLED, TURTLE TOP DETERMINED A POTENTIAL OF 188 VEHICLES BUILT WITH THE SUSPECT RICON LIFTS.

* Continued from above: Recall Population

| Model | Year | # Vehicles Potentially |
|------------------------------|------|-----------------------------|
| FORD VAN TERRA | 2007 | 6 |
| FORD VAN TERRA | 2008 | 4 |
| GM ODYSSEY | 2006 | 6 |
| GM ODYSSEY | 2007 | 9 |
| GM ODYSSEY | 2008 | 2 |
| GM ODYSSEY XL | 2005 | 5 |
| GM ODYSSEY XL | 2006 | 6 |
| GM ODYSSEY XL | 2007 | 11 |
| GM TERRA TRANSPORT 2005 = 6 | | GM TERRA TRANSPORT 2007 = 7 |
| GM TERRA TRANSPORT 2006 = 11 | | GM TERRA TRANSPORT 2008 = 3 |

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.

FROM DOCUMENTATION provided by RICON CORPORATION: "THE NON-COMPLIANCE with 56.1 of FMVSS 403 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."

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

FROM DOCUMENTATION provided by RICON CORPORATION: "RESULTS FROM MISINTERPRETATION of the testing PARAMETERS."

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

FROM DOCUMENTATION provided by RICON CORPORATION: "IN the EVENT this condition OCCURS during PASSENGER operations the wheelchair OR mobility aid USER MAY MOVE toward the vehicle lift door when the lift platform is below floor level. This situation could CAUSE personal injury."

Identify any warning which can (a) precede or (b) occur. From Documentation provided by Ricon:
"with the lift platform one inch OR MORE below vehicle floor level, the Threshold WARNING SYSTEM will activate when a wheelchair OR individual using a mobility aid enters the designated THRESHOLD AREA but MAY deactivate if the wheelchair OR mobility aid USER continues to MOVE toward A CERTAIN point on the threshold AREA."

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

NOT APPLICABLE ACCORDING to RICON CORPORATION

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

NOT APPLICABLE ACCORDING to RICON CORPORATION

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. N/A

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.

FROM DOCUMENTATION provided by RICON CORPORATION: "NHTSA
COMPLIANCE TEST REPORT # 638657A AND NHTSA - 2007-28140
NOTICE I FORMED THE BASIS FOR RICON CORPORATION'S
DETERMINATION OF NONCOMPLIANCE."

V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

INFORMATION CONCERNING IDENTIFYING AND REIMBURSING OWNERS OF
EQUIPMENT ENCOMPASSED BY THIS RECALL AVAILABLE FROM RICON
CORPORATION.

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

FROM DOCUMENTATION provided by RICON CORPORATION:

"REPLACEMENT of the THRESHOLD WARNING SYSTEM METAL COVERS AND OPTICAL SENSOR MOUNTING RETAINERS will correct the non-compliance. RICON will provide a kit for field replacement at no charge."

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

FROM DOCUMENTATION provided by RICON CORPORATION: "THE REPLACEMENT PARTS CAN BE DISTINGUISHED FROM THE RECALL COMPONENTS BY THE

LOCATION OF THE OPENINGS IN THE COVER WHERE THE OPTICAL SENSORS ARE LOCATED. THE REMEDY COMPONENTS WILL HAVE OPENINGS SPACED 5.25

INCHES APART WHILE RECALL COMPONENTS WILL HAVE OPENINGS SPACED 7 INCHES APART."

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.

FROM DOCUMENTATION provided by RICON CORPORATION:

"THE RECALL CONDITION WAS CORRECTED IN PRODUCTION ON ALL LIFTS MANUFACTURED AFTER OCTOBER 9, 2007."

VI. Identify the Recall Schedule

10. 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.

FROM DOCUMENTATION provided by RICON CORPORATION:

"RICON CORPORATION ANTICIPATES THE RECALL CAMPAIGN WILL BEGIN IN DECEMBER 31, 2007. AT THAT TIME, MANUFACTURERS AND DEALERS WILL BE NOTIFIED OF THEIR RESPONSIBILITIES IN COORDINATING THE CAMPAIGN AND MAKING REMEDIES TO THE RECALL POPULATION."

VII. Furnish Recall Communications

11. 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) or by E-Mail to RMD.ODI@dot.gov for review prior to mailing.*

Note that these documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.

NOTE ATTACHED COPY OF LETTER RECEIVED FROM RICON CORPORATION TO TURTLE TOP (TERRA TRANSIT) IN WHICH RICON CORP. WILL BE ADMINISTER THE RECALL ON TURTLE TOP (TERRA TRANSIT'S) BEHALF.



Ricon Corporation
A Division of Vapor Bus International
7900 Nelson Road
Panorama, CA 91402

Phone: 818.267.3000
Fax: 818.267.3001
www.wabtec.com

October 13, 2008

Phil Tom
Dealer # 855000
Terra Transit
P.O. Box 457
Goshen, IN 46527-0457

RE: Recent Ricon Recalls

Mr. Phil Tom,

You were recently notified of two recalls related to the Ricon S & K Series lifts. These notifications were written strictly following NHTSA's guidance.

Unfortunately, the letter did not clearly state that Ricon can, and will administer these two recalls on your behalf, provided you follow these simple steps:

- 1). File a 573 with NHTSA for each of the non compliances 07E-095 and 07E-097. This is a requirement.
- 2). Send us an electronic copy of your letterhead and we will prepare the End User notification letters and get approval from NHTSA.
- 3). If you already have a list of affected customers, please send it to us. We can begin with our partial list of customer information for the affected serial numbers from warranty registrations. We'll need you to supply us any missing customer data from warranty cards not returned to Ricon.
- 4). Ricon will mail out your End User notifications
- 5). Ricon will supply NHTSA and you, with a quarterly report that shows the serial numbers of units that have been repaired. The copy sent to you to satisfy your quarterly reporting requirements with NHTSA.

I want to personally apologize for any inconvenience these recalls may have caused you. Please allow us to lighten your burden in this matter.

If you require further assistance please contact our Customer Service department at 1-800-322-2884 or at Marketing@riconcorp.com.

Sincerely,

Oscar Pardinás
Vice President - Sales and Marketing
Ricon Corporation