



December 2, 2008

Ricon Recall 07E-095 07E-097

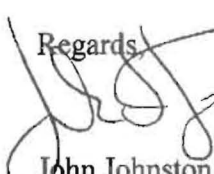
George H. Person
Chief, Recall Management Division
U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation
1200 New Jersey Avenue SE.
Washington, DC 20590

Dear Mr. Person,

As a follow up to my letter dated November 24, 2008 I am sending this letter with the #573 forms properly filled out and included for your review. If you find any changes are required please do not hesitate to contact me so that I can make the changes and resubmit.

We have given Ricon all this information also and they will be sending the notification letter on our behalf.

Regards,



John Johnston
Operations Manager

cc: Marlene Denney – New York Bus Sales
William Hinze – Rico Corporation

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

On November 1, 2007, Ricon Corporation determined that a noncompliance with Federal Motor Vehicle Safety Standard 403 exists in items motor vehicle equipment 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 on November 2, 2007

Furnish the manufacturer's identification code for this recall (if applicable): 07E095

1. The full corporate name of the fabricating manufacturer is:

New York Bus Sales, LLC
7765 Lakeport Road
Chittenango, New York 13037

The corporate official whom the agency should contact with respect to this recall is:

John Johnston
Operations Manager
Phone 315-687-3969
Fax 315-687-7900
jjohnston@newyorkbussales.com

Name and Title of Person who prepared this report.

John Johnston
New York Bus Sales, LLC.

Signed:



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.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. George Person at (202) 366-5210, by FAX at (202) 366-7882, or by E-Mail to RMD.ODI@dot.gov.

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: FORD **Model Years Involved:** 2005 **Model(s):** E450

Production Dates: 2005

VIN: 1FDXE45P05HA94074

Vehicle Type: CUTAWAY CHASSIS **Bodystyle:** SCHOOL BUS

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

The Ricon Wheelchair lift (Model S5010/Serial 184578) installed in this vehicle is included in the Ricon Recall #07E095

II. Identify the Recall Population

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

<u>Model</u>	<u>Year</u>	<u>Number of Vehicles Potentially Involved</u>
S5010	2005	1

Total Number Potentially Affected by the Recall: 1

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

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:

We contacted Ricon who in turn looked at our account to realize that we had purchased one wheel-
chair lift that fell into this recall. We then researched through our system and the purchase order to
determine whose vehicle it was purchased for and installed in.

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.

The Threshold Warning System may not detect the presence of a "wheelchair test device" when tested in accordance with S7.4 of FMVSS 403.

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

Results from misinterpretation of the testing parameters

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

The threshold warning signal may not activate when a certain point on the threshold area is encroached.

Identify any warning which can (a) precede or (b) occur.

With the lift platform one inch 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 forward 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.

Ricon Corporation

7900 Nelson Road

Panorama City, CA 91402

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:
Stanton Saucier - GM

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.

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.

6. Notice from Ricon

7. Notice from Ricon

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.

The remedy will be applied as described in the OEM letters that were sent out.

Replacement of the Threshold Warning System metal covers and optical sensor mounting

Retainer will correct the noncompliance. Ricon will provide a kit for field replacement at no charge.

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.

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.

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

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.

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.

A.S.A.P.

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.