



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

July 31, 2009

NVS-215dgl
09V-308

DEBORAH KLYMKOW
OFFICE MANAGER
BOULEVARD VAN CITY, LLC
2708 NIGARA FALLS BLVD
NIAGARA FALLS NY 14304

SUBJECT: THRESHOLD WARNING SYSTEM/FMVSS 404/RICON

DEAR MS. KLYMKOW:

This letter serves to acknowledge Boulevard Van City, LLC'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 Federal law.

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:

FORD/E-250/2008

FORD/E-350/2007

NHTSA Campaign Number: 09V-308

Mfg's Report Date: July 6, 2009

Components: EQUIPMENT ADAPTIVE

Potential Number of Units Affected: 3

Summary:

BOULEVARD IS RECALLING VANS EQUIPPED WITH RICON PLATFORM STYLE WHEELCHAIR LIFT. THE VEHICLE FAILS 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:

BOULEVARD IS WORKING WITH RICON TO CORRECT THE WHEELCHAIR LIFT FREE OF CHARGE (PLEASE SEE 07E095). OWNERS MAY CONTACT RICON AT 1-818-267-3000.

Notes:

OWNERS 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 notification letter and it does not meet all the requirements of Part 577. Please use the attached template sample letter.

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).

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 contact for this recall will be Delia Lopez who may be reached by phone at 202-366-9525, or by email at Delia.lopez@dot.gov, or through the office email at RMD.ODI@dot.gov. We look forward to working with you toward a successful completion of this recall campaign.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Person', with a long horizontal line extending to the right.

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

Attachment