

Ferrari North America, Inc.

09V-048
(9 Pages)

February 3, 2009

By: FedEx



Ms. Kathleen C. DeMeter
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C 20590
United States of America

Re: Ferrari Part 573 Defect Information Report: MY 2005, 2006 and 2007 Ferrari F430
Spider vehicles: Convertible Top Hydraulic Line Heat-Shield Installation

Dear Ms. DeMeter:

With this letter Ferrari North America, Inc. ("FNA") is submitting the enclosed Defect Information Report pursuant to 49 C.F.R. Part 573. We also are enclosing a draft customer notification letter for your review as well as a draft dealer notification.

If you have any questions, please do not hesitate to contact Adam Rowley (Vice President of Technical Services) or myself at 201.816.2600.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley Stott".

Bradley Stott
Manager Certification & Compliance
Ferrari North America, Inc.

Enclosures

cc: Ms. Patricia Wallace

DEFECT INFORMATION REPORT

Ferrari North America, Inc. ("FNA") has determined that a defect that relates to motor vehicle safety exists in certain Model Years 2005, 2006 and 2007 Ferrari F430 Spider vehicles. FNA is providing this notification in accordance with 49 C.F.R. Part 573.

Ferrari S.p.A has informed Ferrari of North America Inc. that the heat created by the engine could cause hair line cracks in the hydraulic lines of the convertible top that are located inside of the engine compartment. This could cause fluid leakage from the convertible top hydraulic system. This leakage in turn, will cause the convertible top warning light to illuminate and if not remedied, could ultimately leak fluid into the engine compartment causing smoke and in remote circumstances a fire, rendering the vehicle inoperable and possibly resulting in a crash.

Accordingly, as set forth below, FNA proposes to provide notice to all customers, warning them of this non-conformity and that their vehicle must be brought to their authorized Ferrari dealer for the installation of the heat shields to cover the lines of the convertible top system that are located inside of the engine compartment.

The information that is required by your regulation follows:

1. *Manufacturer's Name and Address.*

The fabricating manufacturer (*see* 49 CFR § 573.6(c)(1)) is Ferrari S.p.A. The designated entity pursuant to 49 U.S.C. § 30164(a), which also is making this report, is:

Ferrari North America, Inc.
250 Sylvan Avenue
Englewood Cliffs, N.J. 07632

2. *Vehicles Involved in this Notification.*

The affected vehicles consist of Model Years 2005, 2006 and 2007 Ferrari F430 Spider vehicles in the VIN range: ZFFEW59A950141431 to ZFFEW59A670157167. (Assembly number 59333 to Assembly number 74422)

3. *Total Number of Vehicles Potentially Containing the Defect.*

The total population of potentially affected Model Year 2005 - 2007 Ferrari F430 Spider vehicles not in FNA's custody and control is approximately 1,950 vehicles.

4. *Approximate Percentage of Vehicles Estimated to Contain the Defect.*

FNA believes that all 1,950 vehicles in the defined population contain the defect.

the recall under the warranty or that the warranty repair did not correct the problem addressed by the recall.

Under the reimbursement plan, reimbursement shall not be provided for repairs made within the period during which the original warranty would have provided for a free repair of the problem addressed by this recall, unless (i) a franchised dealer or authorized representative of Ferrari denied warranty coverage or (ii) the repair made under the warranty did not remedy the problem. Reimbursement also will not be provided if the pre-notification remedy was not of the same type as the recall remedy provided herein, did not address the defect that led to this recall, or was not reasonably necessary to correct the defect.

FNA proposes to provide a notice to all customers that would inform them about this non-conformity and that heat shields need to be installed in order to eliminate the possibility of any hair line cracks in the hydraulic lines which could cause fluid leakage. FNA believes that the proposed notice would fully address the issue. FNA also proposes to inspect and if necessary, replace any of the hydraulic lines at no charge to the customers.

8. *Campaign Schedule and Draft Notices.*

FNA expects to begin customer notification within 14 days. FNA is submitting customer notifications to NHTSA for review with this letter.

9. *Representative Copies of Notifications that Relate to the Defect and Have Been Sent to More than One Manufacturer, Distributor, Dealer, or Purchaser.*

There are no notices, bulletins, or other communications that relate directly to the defect and have been sent by FNA to more than one manufacturer, distributor, dealer, or purchaser.

10. *Manufacturers' Campaign Number.*

The manufacturer's campaign number is 49.

* * *

If you have any questions, please contact Adam Rowley at (201) 816-2600.

5. *Description of the Defect.*

Ferrari S.p.A has determined that the heat created by the engine could cause hair line cracks in the hydraulic lines of the convertible top that are located inside of the engine compartment. This could cause fluid leakage from the convertible top hydraulic system. This leakage, in turn, will cause the convertible top warning light to illuminate and, if not remedied, could ultimately leak fluid into the engine compartment and cause smoke and in remote circumstances a fire, rendering the vehicle inoperable and possibly resulting in a crash.

6. *Chronology of Events Leading to this Defect Determination.*

In August 2007, Ferrari received information regarding leaking convertible top hydraulic lines on one 2005 model year F 430 Spider vehicle. Despite the fact that the information at that time involved only a single car, and even though Ferrari had only just begun an investigation of the issue in October, 2007 Ferrari, out of an abundance of caution, nonetheless took steps to install additional heat shield components during assembly. Subsequent to investigating the initial incident, Ferrari began to investigate whether other customer complaints regarding hydraulic fluid leaks might be related.

Because of the low volume of Ferrari vehicles in general, and the even lower number of complaints concerning convertible top hydraulic leaks, it took considerable time to perform the appropriate investigation.

Accordingly, Ferrari has now decided to file this report, and has decided to include in its proposed campaign all Ferrari F 430 Spider vehicles, manufactured up to October 2007, when, as noted above, Ferrari took additional steps to assure that all F 430 Spider vehicles had the heat shields installed.

7. *Description of Proposed Remedy.*

Pursuant to 49 C.F.R. §§ 573.6(c) (8), 573.13(c), and 577.11, the owner notification letter will inform owners that they may be eligible to receive reimbursement for the cost of obtaining a pre-notification remedy of a problem associated with this defect. Specifically, as required by 49 C.F.R. § 577.11(d), the notification letter will inform owners that they may be entitled to reimbursement for any out-of-pocket costs that they incurred for the repair or replacement of the convertible top hydraulic lines during the following period: *from* any time before the date of this notification to NHTSA pursuant to 49 C.F.R. § 573.6, up to ten days after the date on which the last of the owner notifications pursuant to 49 C.F.R. Part 577 is mailed.

In addition, owners will be instructed to submit to “Ferrari North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey 07632 Attention: Service Department” documentation that provides (a) the name and address of the claimant; (b) identification of their vehicle’s make, model, model year, and vehicle identification number; (c) identification of the recall by reference to NHTSA’s recall number or the recall number assigned by Ferrari; (d) identification of the owner or purchaser of the vehicle at the time that the pre-notification remedy was obtained; (e) a receipt, which may be an original or copy, for the pre-notification remedy, identifying the equipment replaced; and (f), if the pre-notification remedy was obtained at a time when the vehicle was covered under the original warranty program, documentation indicating that the manufacturer’s dealer or authorized facility either refused to remedy the problem addressed by

February __, 2009

«FIRST» «LAST»

«ADD1»

«ADD2»

«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Customer:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

Ferrari S.p.A., the manufacturer of Ferrari automobiles, has determined that a defect which relates to motor vehicle safety exists in certain Model Year 2005 - 2007 Ferrari F430 Spider vehicles.

The defect involves the hydraulic hoses for the convertible top that are located inside of the engine compartment. The heat from the engine may cause hair-line cracks to form in the hoses which may result in fluid leakage from the convertible top hydraulic system. This leakage in turn, will cause the convertible top warning light to illuminate and if not remedied, could ultimately leak fluid into the engine compartment causing smoke and in remote circumstances a fire, rendering the vehicle inoperable and possibly resulting in a crash.

If the convertible top warning light illuminates or any fluid is seen leaking from under the car, please stop driving the vehicle immediately and avoid driving it until the repairs described below have been performed.

The vehicles affected are as follows:

Model Year 2005 - 2007 Ferrari F430 Spider vehicles in the VIN range:
ZFFEW59A950141431 to ZFFEW59A670157167.

The remedy for this problem consists of installing protective heat shields over the convertible top hydraulic lines to insulate them from the heat of the engine compartment.

Because your vehicle is among those affected by the above condition, we ask you to contact any Authorized Ferrari Dealer immediately in order to arrange for an inspection of your automobile and to have the corrective action performed.

The corrective actions for the above-listed repair will be performed free of charge to you and will require approximately one (1) hour to complete at the dealer. Please plan, however, to leave your vehicle with the dealership to allow the dealer some flexibility for scheduling your repairs.

By the time you receive this letter, the Authorized Ferrari Dealers will have been supplied with the parts and the instructions to perform the repair. If the Dealer fails or is unable to make the necessary repairs free of charge within a reasonable time, or if you have any problem obtaining the needed repair, you should inform the national headquarters of Ferrari North America, Inc. at:

Ferrari North America, Inc.
250 Sylvan Avenue
Englewood Cliffs, NJ 07632
(201) 816-2600 (National Technical Office)

If you believe that Ferrari has failed to remedy the defect described in this letter free of charge to you and within a reasonable time, you may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590; or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153); or go to <http://www.safercar.gov>

You may be eligible to receive reimbursement for the cost you incurred if you already have obtained a remedy for a problem associated with the defect described in this letter. However, you still must have this corrective action performed, regardless of any previous repairs that may have been performed. Information about the reimbursement program for pre-notification repairs is provided in the enclosure to this letter.

Federal regulation requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten working days.

If you no longer own this vehicle or your address has changed, please complete the enclosed prepaid yellow card and return it to Ferrari North America, Inc.

We urge you to comply with this notice promptly and we apologize for any inconvenience this may cause you.

Best Regards,

Adam Rowley
Vice President of Technical Services

ENCLOSURE

Pre-Notification Reimbursement Program

You may be eligible for reimbursement if you previously incurred out-of-pocket costs for repairs or replacements associated with the hydraulic oil lines for the convertible top covered by this recall campaign number 49.

1. This reimbursement program applies to the vehicles listed below and in the attached letter:

- Ferrari 430 Spider Vehicle Identification Numbers from ZFFEW59A950141431 to ZFFEW59A670157167 which have an Assembly Number from 59333 to 74422.

2. This reimbursement program applies to repairs or replacements of the convertible top hydraulic system oil lines.

3. This reimbursement program applies to repairs or replacements of the convertible top hydraulic system oil lines for the vehicles listed above, if such repair or replacement was made at any time up to ten days following the mailing of the attached notification letter.

4. This reimbursement program does not apply to repairs or replacements that were made within the period during which the original warranty would have provided for a free repair of the problem addressed by this recall, unless (i) a franchised dealer or authorized representative of Ferrari denied warranty coverage or (ii) the repair made under the warranty did not remedy the problem. Reimbursement also will not be provided if the pre-notification remedy was not of the same type as the recall remedy provided herein, did not address the defect that led to this recall, or was not reasonably necessary to correct the defect.

5. To obtain reimbursement for pre-notification remedies, you will need to provide a receipt, which may be an original or copy, identifying the equipment replaced; and, if the pre-notification remedy was obtained at a time when the vehicle was covered under the original warranty program, documentation indicating that the manufacturer's dealer or authorized facility either refused to remedy the problem addressed by the recall under the warranty or that the warranty repair did not correct the problem addressed by the recall. In addition, you will need to submit a written and signed claim for reimbursement that contains the information required in paragraph 6, below.

Continued on next page

6. The claim for reimbursement should include the following information. (a) the name and address of the claimant; (b) identification of their vehicle's make, model, model year, and vehicle identification number; (c) identification of the Ferrari Campaign number (Campaign No.49) or identification of the recall by reference to NHTSA's recall number; and (d) identification of the owner or purchaser of the vehicle at the time that the pre-notification remedy was obtained.

7. If you have any questions about the reimbursement program or need help in making a claim for reimbursement, please write or call Ferrari North America, Inc., at the following address and telephone number:

Ferrari North America, Inc.
250 Sylvan Avenue
Englewood Cliffs, NJ 07632
(201) 816-2600

February, 2009

«FIRST» «LAST»

«ADD1»

«ADD2»

«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Dealer:

Ferrari S.p.A., the manufacturer of Ferrari automobiles, has decided that a defect which relates to motor vehicle safety exists in certain Model Year 2005 - 2007 Ferrari F430 Spider models.

The defect involves the hydraulic lines for the convertible top that are located inside of the engine compartment. The heat from the engine may cause hair-line cracks to form in the lines which may result in fluid leakage from the convertible top hydraulic system. This leakage, in turn, will cause the convertible top warning light to illuminate and, if not remedied, could ultimately leak fluid into the engine compartment and cause smoke and in remote circumstances a fire, rendering the vehicle inoperable and possibly resulting in a crash.

The vehicles affected are as follows:

Model Year 2005 - 2007 Ferrari F430 Spider vehicles in the VIN range:
ZFFEW59A950141431 to ZFFEW59A670157167, Assembly number 59333 up to and including Assembly number 74422.

The corrective action for the installation of the heat shields will be performed free of charge to the customer. This repair takes approximately 1 hour to complete.

By the time the customer receives his/her notification letter, FNA Parts Department will have been supplied with the parts and necessary instructions to make the parts available to you. The recall booklet for the dealers will be made available soon after the parts are made available to FNA.

Best Regards,

Adam Rowley
Vice President of Technical Services