

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

On January 29, 2009, Forest River Inc. [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. 120) exits 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: January 29, 2009

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

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.

Forest River Inc.

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

Dan Evans – Customer Service Manager

Telephone Number: 574-206-7605 Fax No.: 574-206-9450

Name and Title of Person who prepared this report.

Steven J. Barbour
Engineering Manager - Cardinal

Signed:

¹ Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, 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 or by FAX at (202) 366-7882.

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INVESTIGATION

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): Cardinal **Model Years Involved:** 2008-2009 **Model(s):** See attached spreadsheet

Production Dates: Beginning: 6-11-08 **Ending:** 11-21-08

VIN Range: Beginning: 4X4FCAN278G095204 **Ending:** 4X4FCAL219G095557

Vehicle Type: Trailer **Bodystyle:** Fifth Wheel

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

Make(s): _____ **Model Years Involved:** _____ **Model(s):** _____

Production Dates: Beginning: _____ **Ending:** _____

VIN Range: Beginning: _____ **Ending:** _____

Vehicle Type: _____ **Bodystyle:** _____

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

Make(s): _____ **Model Years Involved:** _____ **Model(s):** _____

Production Dates: Beginning: _____ **Ending:** _____

VIN Range: Beginning: _____ **Ending:** _____

Vehicle Type: _____ **Bodystyle:** _____

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

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

II. Identify the Recall Population

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

Vehicles		Number of
Model	Year	Potentially
<u>Involved</u>		

174 total vehicles, 100% will be recalled.

Total Number Potentially Affected by the Recall: 174

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:

100% of the vehicles will be recalled. We determined which vehicles should be included by comparing the theoretical weight to the actual weights of each model produced. The theoretical weight is determined build building a prototype of each new floorplan. That prototype is then measured and weighed and becomes the weight basis for each of that floorplan produced thereafter. Forest River weighs every trailer it produces, therefore we are able to compare our theoretical weight to each unit's weight. Forest River installed new scales at the Cardinal manufacturing facility in June, 2007. The recall begins when CFR 574.120 is enforced and ends with the correction to the scales in December, 2008.

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.

Forest River produced trailers with incorrect cargo carrying capacity values on the FMVSS 120 specified labels.

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

The noncompliance was the result of faulty scales in the production facility.

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

The CCC on the federal tag overstates the actual capacity available. If a customer would solely use the printed CCC to determine how much cargo could be carried, they may exceed the trailer's GVWR or GAWR.

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

This is not a safety issue if the customer follow their owner's manual's instructions.

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

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

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.

November 19, 2008 – Identified difference between actual vehicle weights and theoretical values

November 21, 2008 – Found barrel bolt under scale, recalibrated scales

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.

Each trailer affected will be re-weighed on certified scales by Forest River dealers with new labels printed.

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.

There will be no visible change to the trailer other than a correct CCC value on the federal label.

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

There will be a new federal label with correct CCC values.

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.

Production remedy is the same as recall remedy.

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.

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) for review prior to mailing.*

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