

Safety Defect and Noncompliance Report Guide for Vehicles

PART 573 Defect and Noncompliance Report

On August 5, 2009 , Daimler Buses North America Inc. (Daimler Buses) decided that a safety related defect 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 Reports.

Date this report was prepared: August 5, 2009 Updated August 13, 2010

Furnish the manufacturer's identification code for this recall (if applicable): 09V-318

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.

Daimler Buses North America Inc.

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

Joe Labonte

Product Safety and Compliance Officer

Telephone Number: (905) 403-7807 Fax No.: (905)403-8808

Name and Title of Person who prepared this report.

Joe Labonte

Product Safety and Compliance Officer

Signed:



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): Orion **Model Years Involved:** 2007 - 2009 **Model(s):** VII

Production Dates: Beginning: December 2007 **Ending:** July 2009

Vehicle Type: Bus **Bodystyle:** VII

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

Vehicle model Orion VII configured with Hehr passenger windows having a tip-in Transom window.

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.

100%

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
<u>VII</u>	<u>2007</u>	<u>8</u>
<u>VII</u>	<u>2008</u>	<u>382</u>
<u>VII</u>	<u>2009</u>	<u>434</u>

Total Number Potentially Affected by the Recall: 824 Buses

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 100 %.

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:

Vehicle model Orion VII having a certain style of Hehr windows.

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 passenger windows having a tip-in transom window may not be maintained correctly. An inspection of the attaching screws is required periodically.

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

The screws attaching the tip-in window may loosen. Extension shocks may not be maintained and repaired when required.

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

If not inspected and corrected the window may dislodge and fall into the bus.

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

The window may rattle and not be able to be closed. A broken shock can be readily observed.

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

**Hehr International
Michigan Window Plant
1103 W. Pearl Street
P.O. Box 217
Chesaning, MI 48616-0217
Phone: 989-845-3061
Fax: 989-845-6078**

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

**Jeff Fulton
General Manger (Michigan plant)**

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.

June22, 2009 a window dislodged at Toronto Transit Commission (TTC).

June 30, 2009 a window dislodged and injured a passenger at TTC.

July 2009 a review of other buses at TTC found loose screws.

August 2009 a window dislodged and injured a passenger at TTC.

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.

This is not a noncompliance.

V. Identify the Remedy

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

Two plastic blocks will be fastened to the window preventing the window from dislodging.

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

Two plastic blocks are visible on the tip-in windows.

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 condition was corrected in production beginning July 2009 by way of locking windows by a wedge block or screw. The permanent production remedy is identical to the remedy in the field as of March 2010.

VI. Identify the Recall Schedule

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.

In September 2010 owners will be instructed on how to remove the existing screw or wedge and install the two tip-in window stops to allow the windows to open and prevent the window from dislodging.

VII. Furnish Recall Communications

9. 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.*

A copy of a notice will be provided.