

Pierce Manufacturing Inc.

AN OSHKOSH CORPORATION COMPANY • ISO 9001:2009 CERTIFIED

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

Dear Mr. Person:

Thank you for your letter concerning the Cummins recall 09V-0389 and the adequacy of the Pierce recalls administration and compliance program. Although the reporting time was longer than we would have liked, please be assured that we at Pierce were working with Cummins from the day we received notice from them.

We were under the impression that since this was an equipment recall, and that NHTSA had already been notified of the issue by Cummins, that the five working day criteria had been satisfied by the Cummins 573 notification. Our effort was been focused on getting the right information out of Cummins so that our recall efforts would be accurate and complete. This process was frustrating to say the least.

Our first list from Cummins came on August 7 and we began associating the ESN numbers to trucks that were shipped. By August 13 we were remedying engines we had in-house, either on trucks in the assembly process, or engines in inventory.

From the very beginning we suspected that the original list of engine serial numbers provided by Cummins was not complete. In mid-September Cummins found some engines that they had missed. We were still suspicious that the Cummins list was incomplete and were pushing for improvements. On September 28 Cummins confirmed that an error had occurred, but they were still not ready to provide an updated list.

By early October we decided that we could not wait any longer to submit the 573 report even though we knew the information from Cummins was inaccurate. We sent the report to NHTSA and received an acknowledgement dated October 6, 2009. Admittedly this was 60 calendar days after our official notification from Cummins. The 90 days mentioned in your letter would be to the date of the amended 573 report which was revised when we finally got the corrected data from Cummins.

We were also under a misunderstanding that Cummins was already sending out customer notifications on those engines on their original list. We have learned that this was not the case, and that the customer letters only went out on November 20, 2009.

We understand the importance of safety in emergency vehicle apparatus and apologize for missing any applicable deadlines. Please confirm that NHTSA requires the first 573 report from Pierce 5 business days from the date we receive notification from a supplier that they have initiated an equipment recall. It is still our interpretation that the 5-day criteria is met when the equipment manufacturer notifies NHTSA, and that our 573 paperwork should be "furnished within a reasonable time" after that.

We look forward to your clarification and will strive to meet your expectations in the future.

Sincerely,

Pierce Manufacturing, Inc.

A handwritten signature in black ink, appearing to read "Roger Lackore". The signature is fluid and cursive, with a large initial "R" and "L".

Roger Lackore
Director of Research and Development

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