



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

Joe Labonte
Product Safety and Compliance Officer
Daimler Buses North America, Inc.
350 Hazelhurst Road
Mississauga, Ontario L5J 4T8

09V-215
NVS-215/jtt

Re: Additional Information Needed – Safety Recall 09V-215

Dear Mr. Labonte:

This serves as a request for further information concerning safety recall 09V-215. The recall concerns certain model year 2007 through 2009 Orion VII transit buses with Hehr International (Hehr) windows.

In its defect information report of June 9, 2009, Daimler Buses explained that the bonding between the glass and aluminum frame of the windows may be insufficient and that, as a result, the windows may fall out of their frames. If a window were to fall out of its frame during bus operation, the window would become a road hazard to adjacent vehicles, thereby increasing the risk of a crash. Daimler Buses said it plans to notify owners and purchasers to have the buses inspected and repaired as necessary.

Upon further review there are several items in Daimler Buses' defect information report that are either unclear or insufficient in detail, and for which further explanation is needed from the company. Therefore, please respond to the following questions, providing supporting documentation where that would be helpful. In your response, please first repeat the question asked and then provide your response.

1. In describing the cause of the defect and its consequences Daimler Buses used the acronym "TBD." What does that acronym mean? If that acronym means "to be determined," please explain what needs to be determined and why.
2. In its chronological summary of the principal events that served as the basis for its defect determination, Daimler Buses indicated that it had inspections with "TTC" and an investigation with "Sika." Who or what is TTC and who or what is Sika, and explain the reason for its or their involvement.



3. The chronology of events indicates three items: an inspection in April 2009 with TTC; an investigation in May 2009 with Hehr; and an investigation in May 2009 with Hehr and Sika. This chronology, however, does not provide any information as to what precipitated the investigation and inspections or what information was learned from those activities. Nor does the chronology provide any information as to field or service reports, complaints, warranty claims, or other incidents or events associated with the defect that would help us understand the context in which the defect determination was made, or the timing of that determination. Accordingly, and pursuant to 49 CFR 573.6(c), please provide a chronological summary and provide dates of receipt, of all warranty claims, field or service reports, complaints, and any other information, that Daimler Buses reviewed or considered in coming to its determination. Please also include any other information you believe sheds light on what information or events precipitated the investigation, the timing of Daimler Buses' decision to investigate, as well as the timing of its decision that the vehicle had a defect that presented and unreasonable risk to motor vehicle safety.

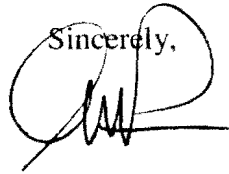
To the extent there is any information you may have gathered, but not yet reported, pursuant to 49 CFR 573.6(c), please also provide that information.

Please provide the requested information **within 3 weeks** of your receipt of this letter. Please also update and amend the company's defect information report such that it reflects the chronology of events leading up to the defect determination, and includes any information required to be provided under 49 CFR 573.6, that was not reported in the original defect report.

This letter is issued pursuant to 49 U.S.C. § 30166 which authorizes the NHTSA to request any information that it deems necessary in administering and enforcing the Motor Vehicle Safety Act of 1969, as amended, 49 U.S.C. 30101, et seq. Failure to respond promptly, truthfully, and completely to this letter and the inquiries made herein could subject Daimler Buses to significant civil penalties and/or a claim for injunctive relief.

If Daimler Buses claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, the company must submit supporting information together with the materials that are the subject of the confidentiality request, to the Office of Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Ave., SE, Washington, D.C. 20590. Please see 49 CFR Part 512 for further instructions as to what is required to properly file a request for confidential treatment.

Please direct your response to Jennifer Timian of my staff, and note conspicuously on your response the safety recall number assigned to this matter (e.g., 09V-215). Should you have any questions or concerns, please contact Ms. Timian on (202) 366-0209 or by email at jennifer.timian@dot.gov.

Sincerely,


George Person, Chief
Recall Management Division