

Form Approved: O.M.B. No. 2 127-0004

Safety Defect and Noncompliance Report Guide for Equipment
PART 573 Defect and Noncompliance Report¹

On **February 26, 2010**, Nova Bus decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. (____) exists in items of motor vehicle equipment 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: March 2, 2010

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

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and **mailing address** of the designated agent as prescribed by 49 U.S.C. §30164.

Nova Bus Corporation, 1000, boulevard Industriel, Saint-Eustache, Québec, J7R 5A5, Canada

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

Jean Fournier, Warranty and Publications Manager

Telephone Number: (450) 472-6410 ext. 6106

Fax No.: **(450) 472-5560** _____

Name and Title of Person who prepared this report: David J. Loveday, Technical Writer

Signed: _____

¹Each 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 Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: Fuel Pump Head (produced by subcontractor to Cummins)

Make: Cummins _____ **Model:** ISL Diesel Engine

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Model Years Involved: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____ **Model:** _____

Part Number: _____ **Size:** _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

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. 97%

II. Identifying the Recall Population

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

Model	Year	Number of Items Potentially Involved
LFS 40 foot transit bus	2009 and 2010	9

Total Number potentially affected by the Recall: 1 vehicle in USA and 8 vehicles in Canada.

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance: Unknown

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 items of equipment:

All vehicles equipped with specific Cummins engines identified with relevant serial numbers and that were built with the faulty fuel pump were selected for this recall campaign. The selected vehicles were manufactured during 2009 and 2010.

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.

Cummins were advised that the heat treatment the pump is subjected to may have been improper. Since the device is a fuel unit they felt it important to replace the units and have identified those in question by Engine Serial Number. They did not find any issues with the pumps during assembly or testing.

There is no specific failure mode. As soon as Cummins were notified of a nonconformance in the heat treatment of the pump they decided to take proactive measures and have questionable fuel pumps changed with no further continued use.

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

Improper heat treatment to the fuel pump.

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

There is no specific failure mode.

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

No warning.

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

Unknown

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.

V. Identify the Remedy

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.

Replace the fuel pump in its entirety.

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

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.

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.

For vehicles in Canada, Cummins' Eastern Canada Service Representatives will replace the fuel pump in its entirety with a new unit. For vehicles in the United States, Cummins' Northeast Service Representatives will perform an identical remove and replace operation.

VII. Furnish Recall Communications

10. 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: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.

The Privacy Act of 1974 - Public Law 93-579, As Amended: This information is requested pursuant to the authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or statistical summary thereof, may be used in support of the agency's action.

ANNEX

Vehicles affected by this recall campaign:

Nova Order No	Client	Engine Serial Number	VIN
L496 Unit # 8	(STM) Société de Transport de Montréal (Canada)	73055758	2NVYL82U093000595
L496 Unit # 9	(STM) Société de Transport de Montréal (Canada)	73055799	2NVYL82U293000596
L496 Unit # 10	(STM) Société de Transport de Montréal (Canada)	73055855	2NVYL82U493000597
L538 Unit #1	(STM) Société de Transport de Montréal (Canada)	73055871	2NVYL82U0A3000004
L538 Unit # 2	(STM) Société de Transport de Montréal (Canada)	73055876	2NVYL82U2A3000005
L538 Unit # 8	(STM) Société de Transport de Montréal (Canada)	73055887	2NVYL82U8A3000011
L544 Unit # 16	(STM) Société de Transport de Montréal (Canada)	73062458	2NVYL82UXA3000060
L546 Unit # 1	(STM) Société de Transport de Montréal (Canada)	73055712	2NVYL82U9A3000020
L545 Unit # 1	(MTA) Metropolitan Transit Authority, New York City, NY. (USA)	73059951	4RKYS92U5A4000001