

Safety Defect and Noncompliance Report Guide for Vehicles

PART 573 Defect and Noncompliance Report¹

On 25 February of 2010, New Flyer Industries Canada ULC and New Flyer of America Inc. (together "New Flyer") decided, based on information provided by American Seating Company, that a defect which relates to motor vehicle safety 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: 1 March 2010

Furnish the manufacturer's identification code for this recall (if applicable): R09-034

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.

New Flyer Industries Canada ULC

25 DeBaets St., Winnipeg, MB Canada R2J 4G5

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

Mr. Kerry Legg

Safety & Compliance Manager

Telephone Number: (204) 934-4876 Fax No.: (204) 224-0248

Name and Title of Person who prepared this report.

Kerry Legg

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.

I. Identify the Vehicle Models Involved in the Recall

2. Identify the Vehicles Involved in the Recall:

Make(s): New Flyer **Model Years Involved:** 2009 **Model(s):** GE40LFR

Production Dates Beginning: 3 Jun 09 **Ending:** 11 Jun 09

VIN Range: Beginning: 035564 **Ending:** 035567

Vehicle Type: Heavy Duty Transit Bus **Body style:** Gasoline Electric Forty Foot Low Floor Restyled

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

Vehicles are equipped with a American Seating Q'Straint MAX mobility device restraint system installed on InSight Transverse Flip-up Seating (Refer to 09E-065).

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.

8.5 %

II. Identify the Recall Population

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

<u>Model</u>	<u>Year</u>	<u>Number of Vehicles Potentially Involved</u>
<u>GE40LFR</u>	<u>2009</u>	<u>4</u>

Total Number Potentially Affected by the Recall: 4

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:

Based on data from American Seating and New Flyer production records - Refer to 09E-065

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.

Refer to 09E-065

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

Refer to 09E-065

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

Refer to 09E-065

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

Refer to 09E-065

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

401 American Seating Center, NW

Grand Rapids, MI 49504-4499

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

John Adelsperger – Director of Engineering

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.

Refer to 09E-065

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.

Refer to 09E-065

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.

Refer to 09E-065

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

Refer to 09E-065

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.

Refer to 09E-065

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.

Refer to 09E-065

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.*

Note that these documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.