

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Report

On March 15, 2010, Diamond Coach Corporation decided that a defect which relates to motor vehicle safety exits 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:

March 15, 2010

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

RIC-10-1

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled.

Diamond Coach Corporation

2300 West 4th

Oswego, KS 67356

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

Dick Seybolt – President/CEO

Telephone Number:

620-795-2191 ex 18

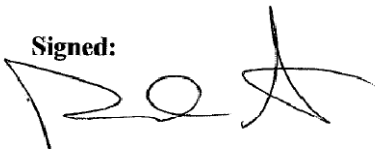
Fax Number:

620-795-4816

Name and Title of Person who prepared this report.

Will Tucker – Engineering Manager

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:**

Make: Diamond

Model Years Involved: 2009

Model: VIP

Production Dates: Beginning: May 1, 2009 **Ending:** December 1, 2009

VIN Range: Beginning: N/A **Ending:** N/A

Vehicle Type: N/A **Body style:** N/A

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall: Buses fitted with “Ricon DOT Public Use, L-Model S and K Series wheelchair lifts manufactured between October 2007 to December 18, 2009, with serial Numbers in the range between 227703 and 252585. The model designation can be identified as follows.

DOT Public Use – SXXXX-LXXXXXXXX

DOT Public Use – SXXXX-KXXXXXXXX

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.

6 lifts meet the requirements of this recall. One lift is not installed; two are in unsold “stock unit” buses. These three will be remedied by Diamond in house and will not be considered in this calculation.

156 total buses produced between May and December 2009.

3 buses sold with these lifts installed.

$3/156 = 2\%$ of all production in range is possibly affected.

II. Identify the Recall Population

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

Number of Vehicles

Model Year Potentially Involved

2009

Total Number Potentially Affected by the Recall:

3

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

2% of all production in range is possibly affected.

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:

Ricon recall 09E-061 listed the wheelchair lifts affected. The buses Diamond is recalling had these recalled Ricon lifts installed.

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.**

Ricon recall 09E-061 states “As with all other Ricon lifts, this lift was designed to stop automatically when the operator runs it from the ground level to the vehicle floor level, as long as the operator continues to depress the “UP” button until the lift stops on its own. If, however, the operator releases the “UP” button while the lift is still moving, the lift may continue to move and eventually initiate stowage, which could tilt the platform prematurely.”

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

Ricon recall 09E-061 states “Though this condition is remote, operating the lift in a manner other than specified in the instructions can be considered a form of misuse that is foreseeable. Accordingly, we are designing a software solution, which we expect will be available soon.”

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

Ricon recall 09E-061 states “This situation could cause personal injury”.

Identify any warning which can occur.

Ricon recall 09E-061 states “If, however, the operator releases the “UP” button while the lift is still moving, the lift may continue to move and eventually initiate stowage, which could tilt the platform prematurely.”

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

Ricon Corporation
A Division of Vapor Bus International
7900 Nelson Road
Panorama City, CA 91402

Identify the name and title of the knowledgeable representative of the supplier:

Daniel Mata
Recall Coordinator
800-322-2884 ex 3374

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.**

March 8, 2010 – Diamond received certified letter from Ricon Corporation advising them of recall 09E-061.

March 15, 2010 – Diamond submits this 573-report and customer letter to NHTSA.

Diamond has had no reports, accidents, injuries, fatalities, or warranty claims that can be attributed to 09E-061.

- 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

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.

Ricon recall 09E-061 states “In most cases, this solution, will involve a simple, remote software upload process that will be handled by the nearest authorized Ricon agent, and should just take a few minutes.”

Ricon recall 09E-061 also states “Ricon will provide your customers a bulletin outlining proper wheelchair lift operation and will ship them a DVD-based training aid to promote proper lift operation. When the software solution is available, your customers will once again be notified by Ricon so that they may take their vehicle to their nearest servicing Ricon dealer for the software update.”

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

There is no mention of distinguishing characteristics of the remedied component in Ricon’s recall 09E-061. It is assumed by Diamond that the remedy would resolve the software issue that allows the lift to fold up without pushing a button on the handset.

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.

Ricon recall 09E-061 states “lifts manufactured between October 2007 to December 18, 2009”. It is assumed by Diamond that Ricon corrected the recall condition in December 2009.

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.

March 15, 2010 – Diamond submits this 573-report and customer letter to NHTSA.

March 22, 2010 – NHTSA approves customer letter and assigns Diamond a recall number for this Ricon defect.

March 24, 2010 -Diamond sends customer letters and submits customer information to Ricon for reporting requirements.

Ricon recall 09E-061 states “Ricon is prepared to assist you with all the materials, the mailings and reporting requirements of this recall. Daniel Mata, Ricon’s Recall Coordinator will assist you with anything you may require.”

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.

1. Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.