

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Responsibility and Reports¹

On July 23, 2010 Turtle Top [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. _____) 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 Responsibility and Reports**.

Date this report was prepared: July 23, 2010

Furnish the manufacturer's identification code for this recall (if applicable): Ricon (09E-060)

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.

Independent Protection Company, Inc., Turtle Top Division

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

Janet L. Kercher-Dudley, Standards Engineer

Telephone Number: (574)831-4340 X146 Fax No.: (574)831-4349

Name and Title of Person who prepared this report.
Janet L. Kercher-Dudley, Standards Engineer

Signed:



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

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. George Person at (202) 366-5210, by FAX at (202) 366-7882, or by E-Mail to RMD.ODI@dot.gov.

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 illustrations or photographs as necessary to describe the vehicle), provide:

Make(s): Turtle Top **Model Years Involved:** 2007-2010 **Model(s):** Various—see page 3 for model names

Production Dates: Beginning: 9-24-07 **Ending:** 2-19-10

VIN Range: Beginning: Various **Ending:** Various

Vehicle Type: Bus **Bodystyle:** Transit Bus / Shuttle Bus

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

Recalled vehicles have a Ricon S, K or F9 series wheelchair lift with a restraint belt with interlock feature where if the buckle of the belt is not fully latched, the lift can operate; when properly latched the lift will not operate.

Make(s): _____ **Model Years Involved:** _____ **Model(s):** _____

Production Dates: Beginning: _____ **Ending:** _____

VIN Range: Beginning: _____ **Ending:** _____

Vehicle Type: _____ **Bodystyle:** _____

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

Make(s): _____ **Model Years Involved:** _____ **Model(s):** _____

Production Dates: Beginning: _____ **Ending:** _____

VIN Range: Beginning: _____ **Ending:** _____

Vehicle Type: _____ **Bodystyle:** _____

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

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 Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Vehicles of all Vehicles manufactured during that time period.

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>
Ford Odyssey	2007, 2008, 2009	29
Ford Odyssey LT	2009	15
GM Odyssey	2008, 2010	12
GM Odyssey XL	2007, 2008, 2009, 2010	36
GM Odyssey XL MPV	2008	1
GM Terra Transport	2007, 2008, 2009	13
Ford Van Terra	2007, 2008, 2009, 2010	32

Total Number Potentially Affected by the Recall: 138

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:

Announcement on recalled equipment was sent to Turtle Top from Ricon with information on affected lifts built between December 2007 and December 2009. Ricon notified the NHTSA of the recall on a 573 Defect and Noncompliance Report; NHTSA assigned Ricon recall number 09E-060.

Based on this information from Ricon, along with sales order information for specific vehicles where the recalled equipment parts were optioned into the sales order, as well as a listing of lift registrations from Ricon on affected lift serial numbers purchased by Turtle Top (Terra Transit division),

Turtle Top was able to determine potential vehicles affected under this recall.

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.

Affected wheelchair lifts sold and installed as original equipment on various buses are equipped with a restraint belt which has an interlock feature so that the lift will not operate if the tongue is fully inserted and latched in the buckle. However, if the tongue is not fully inserted and latched in the buckle, the lift will operate. From Ricon's 573 Defect and Noncompliance Report 09E-060, note the following "a forced change due to the discontinuation of the original switch used in the buckle may be at the root cause of the current issue".

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

From Ricon's 573 Defect and Noncompliance Report 09E-060, note the following "If the operator does not fully engage the belt into the buckle, then the lift can operate with the belt unlatched".

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

From Ricon's 573 Defect and Noncompliance Report 09E-060, note the following "If the tongue is not fully latched in the buckle, the lift can operate and a wheelchair may not be adequately be protected against movement".

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

From Ricon's 573 Defect and Noncompliance Report 09E-060, note the following "Failure to hear an audible click as the latching mechanism engages. If tugged the tongue will come out of the buckle".

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

7900 Nelson Road

Panorama City, CA 91402

818-267-3000

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

Stanton Saucier, General Manager

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.

#6 = Defect. From Ricon's 573 Defect and Noncompliance Report, note the following "If the operator fails to fully engage and latch the belt tongue in the buckle, the lift will operate. The restraint belt design has been in use for almost 20 years. It goes directly from discontinuing the buckle in December 2007 to an individual rolling off the platform with no apparent connection. A switch component inside of the buckle was forced to change due to a discontinuance of the original switch in December 2007. The individual proceeded to roll off the end of the platform. This is the first and only reported incident of this type. On or about September 1, 2009, Ricon received a report that an individual in Austin, Texas, had powered backwards against the lift belt and the belt tongue came out of the buckle thus defeating the restraint belt. It is unknown whether or not the belt as fully engaged with the tongue latched inside the buckle".

V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

As noted in Ricon's 573 Defect and Noncompliance Report on file with the NHTSA, "Since Ricon believes that this condition is preventable, Ricon will embark on an educational campaign to raise awareness of this potential condition. All affected lifts will receive instructional and warning decals". Turtle Top will supply to Ricon a list of vehicles and owners on record it believes has fallen into the manufactured date range for lifts. Ricon will notify affected vehicle customers of this issue and it's 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.

Ricon's remedy as stated the 573 Defect and Noncompliance Report on file with the NHTSA "Since Ricon believes that his condition is preventable, Ricon will embark on an educational campaign to raise awareness of this potential condition. All affected lifts will receive instructional and warning decals.

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

Ricon's remedy as stated the 573 Defect and Noncompliance Report on file with the NHTSA "Update all operator manuals to alert operators to fully engage the belt tongue into the buckle with a "Click and Tug" on the belt prior to lift operation, affix a warning on the belt to "Click and Tug" prior to lift operation, and edit operator's training video to include the "Click and Tug" campaign".

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.

Recall and production remedy are the same, per Ricon.

VI. Identify the Recall Schedule

10. 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.

Ricon provided to the NHTSA in their 573 Defect and Noncompliance Report for the anticipation of the "recall campaign will begin December 1, 2009". Once Turtle Top's 573 Defect and Noncompliance Report and accompanying Draft Notification Letter has been approved by the NHTSA ODI, then Turtle Top's customers will promptly be notified of the safety recall and the vehicle customer's Turtle Top distributorship will also be notified. Ricon will be administering the recall and notify customers on Turtle Top's behalf.

VII. Furnish Recall Communications

11. 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) or by E-Mail to RMD.ODI@dot.gov for review prior to mailing.

Note that these documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.