

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

On March 16, ~~2009~~²⁰¹¹, E-Ton Power Tech [MFR] decided 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 Responsibility and Reports.

Date this report was prepared: March 21, 2011

Furnish the manufacturer's identification code for this recall (if applicable): NVS-221Sse/PE-123-110301

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.

Eton America, LLC.
360 E. Henry Street, Ste. 102, Spartanburg, SC 29302

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

Steve Murph
Vice President

Telephone Number: (864) 595-9930 Fax No.: (864) 585-0093

Name and Title of Person who prepared this report.

Spencer Huang
Manager of R&D Dept.

Signed:

Spencer Huang

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.

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): E-TON Model Years Involved: 2006-2007 Model(s): PN2Fi/Beamer R4-150

Production Dates: Beginning: 2006 Ending: 2007

VIN Range: Beginning: RK1FB70EMA000003 Ending: RK1FB70ES9A000436

Vehicle Type: Scooter Bodystyle: cradle

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

All vehicles need to be recalled

Make(s): E-TON Model Years Involved: 2007 Model(s): PN2G

Production Dates: Beginning: 2007 Ending: 2007

VIN Range: Beginning: RK15B60E07A000102 Ending: RK15B60EX7A000210

Vehicle Type: Scooter Bodystyle: cradle

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

All vehicles need to be recalled

Make(s): E-TON Model Years Involved: 2007-2009 Model(s): Matrix 50

Production Dates: Beginning: 2008 Ending: 2009

VIN Range: Beginning: RK15VA0E09A000107 Ending: RK15VA0E8AA000599

Vehicle Type: Scooter Bodystyle: cradle

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

All vehicles need 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 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.

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): E-TON Model Years Involved: 1999~2003 Model(s): PN2

Production Dates: Beginning: 1999 Ending: 2003

VIN Range: Beginning: RFZ5BA2S0YA001602 Ending: RFZ5BA2CX4A006731

Vehicle Type: Scouter Bodystyle: cradle

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

All vehicles need to be recalled

Make(s): E-TON Model Years Involved: 2004~2004 Model(s): PN2B / Beamer 50

Production Dates: Beginning: 2004 Ending: 2004

VIN Range: Beginning: RFZ5BB0C05A000107 Ending: RFZ5BB0CX5A003791
RK15BB0C05A002731 Ending: RK15BB0C8AA011776

Vehicle Type: Scouter Bodystyle: cradle

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

All vehicles need to be recalled

Make(s): E-TON Model Years Involved: 2004~2006 Model(s): PN2C

Production Dates: Beginning: 2004 Ending: 2006

VIN Range: Beginning: RFZ5BC0C05A000114 Ending: RFZ5BC0CX5A001948
RK15BC0C05A001335 Ending: RK15BC0CX7A004410

Vehicle Type: Scouter Bodystyle: cradle

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

All vehicles need 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 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.

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): E-TON Model Years Involved: 2007-2009 Model(s): Matrix RC-150

Production Dates: Beginning: 2007 Ending: 2009

VIN Range: Beginning: RK1FVD0E09A000128 Ending: RK1FVD0EKAA000898

Vehicle Type: SCOOTER Bodystyle: CRADLE

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

All vehicles need to be recalled

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>
PN2	1999 ~ 2003	8736
PN2B / Beamer S	2004 ~ 2009	10807
PN2C	2004 ~ 2006	3837
PN2F / Beamer R4-150	2006 ~ 2008	428
PN2G	2007	177
Matrix S	2008 ~ 2009	425
Matrix R4-150	2008 ~ 2009	766

Total Number Potentially Affected by the Recall:

25176

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

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:

PN2, 100%, all vehicles need to be recalled.

PN2B/Beamer S, 100%, all vehicles need to be recalled.

PN2C, 100%, all vehicles need to be recalled.

PN2F/Beamer R4-150, 100%, all vehicles need to be recalled.

PN2G, 100%, all vehicles need to be recalled.

Matrix S, 100%, all vehicles need to be recalled.

Matrix R4-150, 100%, all vehicles need to be recalled.

calendar year	PN2	PN2B / Beamer 50	PN2C	PN2F / Beamer R4-150	PN2G	Matrix 50	Matrix R4-150	Total
1999	1624							1624
2000	1792							1792
2001	1176							1176
2002	1960							1960
2003	2184							2184
2004		2240	1008					3248
2005		3296	1569					4865
2006		2031	1260	1				3292
2007		694		157	177			1028
2008		1930		270		375	712	3287
2009		616				50	54	720
Total	8736	10807	3837	428	177	425	766	25176

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.

The engine stop switch is on the left handlebar and should be on the right.

The upper-lower beam switch is on the right handlebar and should be on the left.

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

It has been this way from first model vehicle - PN 2, and all other model vehicles keep the same position without confirming FMVSS No. 123.

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

If people think that they are pushing the upper-lower beam switch on the left handlebar and they hit the engine stop switch and lose power, they could have an accident.

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

(a) hit the switch on the right handlebar will control the upper-lower beam.

(b) hit the switch on the left handlebar will stop the engine.

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

Not applicable, it is wrong design by E-Ton Power Tech.

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

Not applicable.

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.

There have been no accidents, injuries, or fatalities as a result of the non-compliance. A warranty report is attached for defective switches.

No test results or data on which the non-compliance was determined as without confirming FMVSS No 123. from first model vehicle to all other models.

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.

Eton will provide new switches for left and right handlebar to replace for this compliance to importer and dealers.

Eton will pay the dealer for switch replacement according to the flat rate warranty guide used for all warranty work

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.

The remedy service bulletin is attached. Before remedy, on/off switch is on left and high/low switch on right. After remedy, on/off switch is on right and high/low switch is on left.

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

The switches are clearly marked with their function.

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.

The remedy for past and current units as well as all future production is the same. The on/off switch will be on the right and the high/low beam will be on the left.

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.

The recall schedule ~~is~~ is attached. The specific dates are dates from the time our plan of action is approved by DOT.

Recall Project Schedule	Pro Date	Start Date
* Submit Recall DRAFT plan to DOT Make adjustments if needed.	3.19	
* Submit Recall FINAL Schedule and plan to DOT	3.23	
* Once Recall Plan approved: All duties within 5 days of plan approval:		
* Get delivery date for parts from factory.		
* Mass email recall sheets to all dealers.		
* Mass postal mail recall: Dealer and owner letters to dealers. (Certified Mail)		
* Mass postal mail recall: Owners letters to all registered scooter owners. (1st Cls)		

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.