

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

On **December 22, 2011**, **Corp. Micro Bird inc.** decided that a noncompliance 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: December 22, 2011

Furnish the manufacturer's identification code for this recall (if applicable): 11-050-LAU

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.

Corporation Micro Bird Inc.

(agent) Kathleen Gaines, 4701 Military Road, Niagara Falls, NY 14305, USA

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

François Lafond, Product Engineering Director

Telephone Number: 819 477-2012 ext. 463 Fax No.: 819 477-1848

Name and Title of Person who prepared this report.

Valérie Fortin

Regulations and Standards Technician

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.

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): Micro Bird **Model Years Involved:** 2011 **Model(s):** MBII

Production Dates: Beginning: August 16, 2011 **Ending:** September 16, 2011

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

Vehicle Type: School bus **Bodystyle:** MBII

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

The vehicle is not equipped with 2 sets of lower anchorages as per FMVSS 225.

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. 0,05 % of US school MBII

II. Identify the Recall Population

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

Model	Year	Number of Vehicles Potentially Involved
<u>MBII</u>	<u>2011</u>	<u>48</u>

Total Number Potentially Affected by the Recall: 48

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:

This recall only affects vehicle built according to a specific order.

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 2 sets of lower anchorages required by virtue of FMVSS 225 has not been installed in the vehicle.

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

The lower anchorages has inadvertently been removed from the order.

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

If a portable child restraint is installed in the vehicle, it will only be restrained by the seat belt instead of the seat belt and the lower anchorages. In event of a crash, a child not sufficiently restrained could be injured.

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

N/A

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

N/A

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

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.

N/A

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.

While trying to duplicate an order, we realized that, for an unknown reason, there was no lower anchorage in the previous version of the order and that the lower anchorages have not been installed on the vehicles.

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.

Parts and Service bulletin to perform the recall will be provided to end user & labor will be reimbursed upon receipt of the reply sheet. The reimbursement procedure will be included with the notification letter that will be sent to the end user and dealer.

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.

Recalled condition: no lower anchorages in the vehicle

Remedy condition: vehicle equipped with 2 sets of lower anchorages

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

Recalled component: no lower anchorages in the vehicles

Remedy component: 2 sets of lower anchorages installed in the vehicle (one on each seat bench in the first row rearward of the driver)

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.

It is not possible anymore to remove the lower anchorages from an order when the vehicle's type requires it.

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.

Owner and dealer will be notified in the beginning of January 2012 and will receive the parts to perform the recall.

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.