

Mrs. Delia Lopez
Office of Defects Investigation
1200 New Jersey Avenue SE
Washington, DC 20590

December 14, 2011

Subject: Hydraulic Steering Pump Recall 11V-575

Your letter of December 12, 2011 acknowledging Gillig LLC's notification to NHTSA of the above recall also requested an explanation of why Gillig did not notify NHTSA and file the defect report within 5 business days and why penalties should not be assessed.

On October 21st we concluded that there was a defect in this part. Even though we determined that there was no unreasonable risk of accident, death or injury occurring because of this defect as defined in 49 USC 30102, we decided to do a recall since the defect was steering related.


After this recall decision we focused on diligently gathering all the information regarding the root cause for the flow problem, suspect population, remedy, procured an inventory of parts and put a field response team in place in to remedy the situation as soon as possible. We delayed submittal of the 573 until we had all the required information.

Gillig road tests every bus before it leaves the production facility and through this test process found this defect. We feel the existence of the defect would be immediately identifiable by any person driving this vehicle making identification of the defect at our facility highly likely and the "consequence" described in the 573 extremely remote. No buses exhibiting this steering issue during our road test left this facility. No reports, accidents, injuries, fatalities or warranty claims have been received at Gillig from customers with the suspect buses in service.

We regret the delay in submitting the 573 form for this recall. It was never Gillig's intention to avoid reporting or responsibility for this issue. Our efforts were focused on resolving the issue and formulating a responsible plan of action to bring the remedy to the customer as soon as possible. The availability date of the remedy to the customer was not impacted by this reporting error. We feel confident that our delay in reporting has not put the customer, general public or anyone else in any danger. NHTSA's message to Gillig is clear and we understand now that under no circumstances should submittal of the 573 be delayed longer than 5 business days after the recall decision. We hope that NHTSA recognizes that Gillig has and will always have the best interests of public safety in mind. We ask that in this case NHTSA's notification to Gillig of this reporting non-compliance be considered a warning and that no civil penalties be assessed at this time.

I appreciate your consideration in this matter.

Thank you.



Greg Vismara
VP Engineering
Gillig LLC
25800 Clawiter Road
Hayward, Ca 94545