

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

On June 27, 2012 Turtle Top [MFR] decided that ~~(a defect which relates to motor vehicle safety)~~(a noncompliance with Federal Motor Vehicle Safety Standard No. 217) 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 06, 2012

Furnish the manufacturer's identification code for this recall (if applicable): SMI: 12E-017

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

67819 State Road 15 New Paris, Indiana 46553

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

Matthew S. Sausaman, Operations Manager

matts@turtletop.com

Telephone Number: (574)831-4340 X179 Fax No.: (574)831-4349

Name and Title of Person who prepared this report.

Matthew S. Sausaman

Operations Manager

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:** 2011-2012 **Model(s):** Various

Production Dates: Beginning: 04-01-2011 **Ending:** 03-25-12

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

Vehicle Type: Bus **Bodystyle:** Commercial Bus

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

Recalled vehicles are equipped with an optional SMI Pro-Lo Roof Hatch that may have a latch concern.

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.

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.

Recalled hatches have a spring mechanism that allows in the assistance of the passenger to open the hatch for egress. The tension required to open the hatch is regulated in part by specifications called out in FMVSS 217 and need to be in that range. According to documents provided in 12E-017, some hatches may be out of that range and require a new spring kit to comply.

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

Hatch latch handle spring kit.

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

The hatch may be harder to open than specified in FMVSS217.

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

None Indicated

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

Specialty Manufacturing Corp.

10200 Pineville Rd.

Pineville, NC 28134

(704) 889-7518

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

Mike Hagan Director of Sales and Marketing : SMI

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.

7 above: Letter from SMI dated May 24, 2012, received via certified mail to Turtle Top including information on the details of SMI's defective roof hatches to Turtle Top. Turtle Top subsequently contacted Specialty Manufacturing to determine whether any Turtle Top vehicles were part of the potential recall. See SMI's Part 573 Defect and Noncompliance Report provided by SMI (12E-017) for details on SMI's determination on how the noncompliance was identified.

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.

See SMI's documents already posted to NHTSA equipment recall 12E-017 (document search— website = <http://www-odi.nhtsa.dot.gov/recalls/>): for Defect Notice (Part 573 Report), Manufacturer's Notices to Dealers, Description of Safety Defect, and Other Recall Related Documents (Publication Ad). The remedy includes a replacement of a nylon receiver which resolves an interference issue on affected roof hatches.

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.

Attached to 12E-017 are detailed instruction involving the latch and spring mechanism removal and installation of a new spring that is compliant with FMVSS 217.

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

In the service bulletin models affected are designated by production date on a sticker clearly marked in the hatch interior surface.

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.

Turtle Top ordered service kits based on vehicles identified still on our premises and were able to make the modification as noted in the service bulletin.

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.

March 25, 2012: notification from SMI that 12E-017 existed

June 1, 2012: notification to NHTSA via response submission letter.

June 11, 2012: draft notification letter approved by NHTSA

June 29, 2012: list of affected vehicle owner's customer names and addresses finalized.

Once the NHTSA Office of Defect Investigations approves owner notification letter, mailing of letters can begin—anticipate estimated date of letter mailing: July 2012.

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.

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

Model	Year	Number of Vehicles Potentially Involved
Odyssey	2010	1
Odyssey	2011	67
Odyssey	2012	45
Odyssey LT	2011	3
Odyssey XL	2011	65
Odyssey XL	2012	34
Terra Transport	2010	1
Terra Transport	2011	36
Terra Transport	2012	16
Van Terra	2011	58
Van Terra	2012	35
Total Number Potentially Affected by the Recall:		361*

**Total Number of Potentially Affected Vehicles are USA only, total does not include vehicles exported.*