

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

On June 13, 2012 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: August 10, 2012

Furnish the manufacturer's identification code for this recall (if applicable): SMI: 12E-002

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 11-01-2006 Ending: 9-31-2010

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 Braun Vista or Century Model Handicapped Lifts

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.

The location of the defect is the outboard end of the wheelchair lift platform at the outer barrier. The Defect occurs when the roll stop latches and is no longer capable of retaining the roll stop to prevent Passengers from defeating or riding over the stop.

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

Maintenance related to damaged part replacement, or product misuse through high energy Wheelchair/scooter impacts

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

The consequence of the defect is that the roll stop and latch parts may not operate properly or may Become bent or misaligned through impact or continued use, and a wheelchair occupant may defeat Or ride over the roll stop and fall to the ground.

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

During a pre or post trip inspection, or before boarding the lift platform, the attendant or occupant may Observe the outer roll stop in an unlatched condition when the lift platform is deployed from its stowed Position or raised off the ground.

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

Braun Corporation
631 W 11th St
Winamac, IN 46996
(800) 946-7513

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

Rick Nelson, Director of Product Support

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 Braun dated June 11, 2012, received via certified mail to Turtle Top including information on the details of the Equipment Recall. Turtle Top subsequently contacted Braun to determine whether any Turtle Top vehicles were part of the potential recall. See Braun's Part 573 Defect and Noncompliance Report for details on determination of 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 Braun's documents already posted to NHTSA equipment recall 12E-002 (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). There was no remedy originally, but since a TSB, Video and Instructions have been posted. Production Remedy is stated in the Braun report to have taken place August 24, 2010, these remedies are documented As being different according to the report.

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 this report are the instructions for remedy including a TSB and Video.

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

According to the Braun report there are differences between the production and field remedy but Resulted in the redesign of the roll stop latch brackets.

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.

See above

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.

June 11, 2012: notification from Braun that 12E-002 existed

June 14, 2012: notification to NHTSA via response submission letter.

July 18, 2012: draft notification letter approved by NHTSA

August 8, 2012: list of affected vehicle owner's customer names and addresses finalized.

Once the NHTSA Office of Defect Investigations approves 573 report, owner notification letter, mailing of Letters can begin—anticipate estimated date of letter mailing: August 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	2006	2
Odyssey	2007	68
Odyssey	2008	118
Odyssey	2009	69
Odyssey	2010	91
Vanterra/Terra Trans	2006	1
Vanterra/Terra Trans	2007	32
Vanterra/Terra Trans	2008	72
Vanterra/Terra Trans	2009	60
Vanterra/Terra Trans	2010	64
Total Number Potentially Affected by the Recall:		577*

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