



U.S. Department of Transportation  
**National Highway Traffic Safety  
Administration**

1200 New Jersey Avenue SE  
Washington, DC 20590

October 26, 2023

Mr. Jim Johnson  
Manager, Vehicle Safety & Regulatory Compliance  
New Flyer of America, Inc.  
106 National Drive  
Anniston, AL 36201

NEF-107DC  
23V-711

**Subject:** Incorrect Weight on Certification Labels/FMVSS 120

Dear Mr. Johnson:

This letter serves to acknowledge New Flyer of America, Inc.'s notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

**Makes/Models/Model Years:**

NEW FLYER/XD35/2021-2023  
NEW FLYER/XD40/2022-2023  
NEW FLYER/XD60/2022-2023  
NEW FLYER/XDE35/2022  
NEW FLYER/XE40/2021-2022  
NEW FLYER/XN35/2022-2023  
NEW FLYER/XN60/2022-2023

**Mfr's Report Date:** October 20, 2023

**NHTSA Campaign Number:** 23V-711

**Components:**

EQUIPMENT:OTHER:LABELS

**Potential Number of Units Affected:** 188

**Problem Description:**

New Flyer of America, Inc. (New Flyer) is recalling certain 2021-2023 XD35, 2022-2023 XD40, XD60, XN35, XN60, 2022 XDE35, and 2021-2022 XE40 transit buses. The Gross Axle Weight Rating (GAWR) and Gross Vehicle Weight Rating (GVWR) listed on the certification labels are incorrect, which can allow the vehicle to be overloaded. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard number 120, "Wheels and Rims - Other than Passenger Cars."

**Consequence:**

An overloaded vehicle can increase the risk of a crash.

**Remedy:**

Dealers will install new labels, free of charge. Owner notification letters are expected to be mailed November 13, 2023. Owners may contact New Flyer customer service at 1-204-224-6706.



**Notes:**

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to [www.nhtsa.gov](http://www.nhtsa.gov).

Please be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

Under 49 U.S.C. § 30112(a), it is illegal for anyone, including a manufacturer, distributor, dealer, or retailer to sell an item of equipment or vehicle that fails to comply with all applicable Federal motor vehicle safety standards.

As stated in 49 U.S.C. § 30118(f), submission of eight consecutive quarterly reports followed by three annual reports is required. As described in 573.7, submission of the first of eight consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter. The first of three consecutive annual status reports will be due on, or before, 1 year after the eighth quarterly report was submitted.

New Flyer of America, Inc.'s contact for this recall will be Debora Crews who may be reached by email at [debora.crews@dot.gov](mailto:debora.crews@dot.gov). We look forward to working with you.

Sincerely,



Alex Ansley  
Chief, Recall Management Division  
Office of Defects Investigation  
Enforcement