

Safety Defect and Noncompliance Report Guide for Equipment

PART 573 Defect and Noncompliance Report

Date: Tuesday, May 21st, 2013

This report serves as [insert reporting party’s name]’s notification to the U.S. Department of Transportation, National Highway Traffic Safety Administration that a [insert as applicable: “defect related to motor vehicle safety” or “noncompliance with Federal Motor Vehicle Safety Standards”] exists in certain [identify the equipment at issue]. [Manufacturer] decided that this [insert “defect” or “noncompliance,” as applicable] existed in these vehicles on [insert date].

I. Manufacturer, Designated Agent, and Other Chain of Distribution Information

Manufacturer’s corporate name: Motovan Corporation

Equipment’s brand or trademark name owner(s) (where applicable): ZOX Helmets

Designated Agent (imported equipment):
Motovan Corporation

1391 Gay Lussac

Boucherville, Quebec, Canada

J4B 7K1

If this notification concerns equipment that was installed in new motor vehicles or new items of motor vehicle equipment, identify by name, address, and telephone number each vehicle manufacturer and equipment manufacturer who purchased that equipment:

N/A

If this notification concerns a defective or noncompliant component that the above identified manufacturer did not manufacture, identify that component and provide the name, address, and phone number of the manufacturer of the component (if this manufacturer is unknown, provide this information as to the supplier of the component):

Zox Old School Helmet Size Extra Large. Produced in December 2008

JIANGMEN PENGCHENG HELMETS LTD.

9TH FLOOR,TUNG HIP COMMERCIAL BUDNG

244, DES VOEUX ROAD CENTRAL, HONG KONG

Name, address, email, and phone and fax numbers for the person(s) to whom inquiries about this report should be directed:

Gary Cuzner

1391 Gay Lussac

Boucherville, Quebec, Canada, J4B 7K1

Ph. 450-449-3903 ext.235 Fx. 450-449-7855

Manufacturer's assigned campaign number (where applicable):

II. Identification of the Recall Population and Its Size

Complete the tables below for each item of equipment subject to this notification. Additional tables may be necessary where there are more than three items subject to a notification.

Type of equipment (e.g., tire, child restraint, headlamp): Motorcycle Helmet
Part/Model number: Zox Old School (XTS-2)
Size and function (where applicable): Extra Large
Inclusive dates of manufacture (month and year): December 2008
Other information necessary to describe this equipment: Half Helmet (Beanie) type helmet.
Total number of these items of equipment: 198

Type of equipment (e.g., tire, child restraint, headlamp):
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Part/Model number:
Size and function (where applicable):
Inclusive dates of manufacture (month and year):
Other information necessary to describe this equipment:
Total number of these items of equipment:

Type of equipment (e.g., tire, child restraint, headlamp):
Part/Model number:
Size and function (where applicable):
Inclusive dates of manufacture (month and year):
Other information necessary to describe this equipment:
Total number of these items of equipment:

Provide the following information as to all the items of equipment (“the recall population”) identified above:

Grand total number of items of equipment in the recall population: 198

The percentage of the recall population you estimate actually contain the defect or noncompliance:

50%

Identify and describe how the recall population was determined (e.g., on what basis the recalled models were selected and how the inclusive dates of manufacture were determined):

Production date of model via manufacturers number contained in each model.

Describe how the recall population is different from any similar items of equipment not subject to this notification:

No similar items manufactured.

III. Description of the Defect or Noncompliance and Chronology of Events

Describe the defect or noncompliance, including a summary and detailed description of the nature and physical location (if appropriate) of the defect or noncompliance. Graphic aids should be provided where necessary.

Test failures identified were as follows: S7.1 Impact attenuation dwell times exceeding 2.0 msec. at 200g for flat anvil tests, cold rear 2nd impact (2.1msec), wet rear 2nd impact (2.1msec). Also failures of S7.2 Penetration resistance, all conditions at right rear, cold and hot at left brow.

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

We suspect lack of material thickness (ex: Fiberglass).

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

May cause injury.

Identify any warning(s) that may precede the defect or noncompliance condition.

No visible defect.

For defects, provide a dated, chronological summary of all the principle events that were the basis for the determination that the defect is related to motor vehicle safety, including a summary of all warranty claims, field or service reports, and other information such as numbers of crashes, injuries and fatalities.

Received a Test Failure from U.S. Dept of Transportation

For noncompliances, identify the test results and other information considered in determining the existence of the noncompliance, and provide the date of each test and observation indicative of that noncompliance.

ACT Lab LLC final report #218-ACT-09-012 prepared for U.S. Dept of Transportation

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IV. The Remedy Program and Its Schedule

Describe the program for remedying the defect or noncompliance, including the plan for reimbursing those owners and purchasers who may have incurred costs to remedy the defect or noncompliance before receiving the manufacturer's notification concerning that defect or noncompliance. Also include, where applicable, details with dates concerning any production remedy that was conducted or will be conducted.

Stopped manufacturing helmet.

No costs would have been created.

Provide the estimated date(s) on which owner and purchaser notifications will be issued and the estimated date(s) for completion of those notifications.

June 17th, 2013 via motorcycle consumer magazines. Will provide names of magazines once ads have been placed.

Provide the estimated date(s) on which dealer and distributor notifications will be issued and the estimated date(s) for completion of those notifications.

Provide written notification on June 10th, 2013 using both e-mail and certified U.S. mail

Describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

N/A. Recall will credit customers for purchase amount.

******* IMPORTANT REMINDERS *******

A DRAFT version of the letter that the manufacturer intends to mail to owners and purchasers notifying them of the defect and/or noncompliance must be submitted to NHTSA at least five Federal Government business days before those letters are issued. In addition, it is recommended that the draft version of the letter that the manufacturer intends to send to its dealers and distributors concerning the defect and/or noncompliance also be submitted for review. For prompt receipt and review, drafts may be submitted to the attention of the Recall Management Division (NVS-215) via facsimile on (202) 366-7882, or email to RMD.ODI@dot.gov.

A representative 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, dealer, or purchaser, must be submitted to NHTSA no later than five days after they are initially sent. This requirement applies both to the final version of the notification letter that is sent to owners and purchasers, as well as the final version that is sent to dealers and distributors. It also includes any follow-up notifications issued concerning a recall. The representative copies of the letters sent to owners and purchasers, and dealers and distributors, must be submitted via certified mail. It is strongly recommended, however, that additional representative copies be submitted via facsimile on (202) 366-7882, or email to RMD.ODI@dot.gov, so that the submission can be more promptly reviewed. All submissions should be conspicuously labeled with the appropriate NHTSA-assigned recall number.