

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

On June 18, 2013 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: June 20, 2013 REVISED 8-28-2013

Furnish the manufacturer's identification code for this recall (if applicable): Turtle Top: 13V-263 and Ricon Corp: 13E-001

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., dba Turtle Top

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

Janet L. Kercher-Dudley, Standards Engineer
janetd@turtletop.com

Telephone Number: (574)831-4340 X146 Fax No.: (574)831-4349

Name and Title of Person who prepared this report.
Janet L. Kercher-Dudley
Standards Engineer

Signed:  This 573 Defect Report is being revised to include the total number of vehicles affected by the recall and the model names and model years involved.

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:** 2006-2012 **Model(s):** various

Production Dates: Beginning: 09-01-2006 **Ending:** 11-01-2012

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

Vehicle Type: Bus **Bodystyle:** Transit Bus

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

Recalled vehicles are equipped with a Ricon S-series or K-series public use platform (wheelchair) lift with armored pendant cable for operating the lift.

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.

II. Identify the Recall Population

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

Model	Year	Number of Vehicles Potentially Involved
See Last Page for List of Vehicles Involved with this Recall		

Total Number Potentially Affected by the Recall: 132

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 100%

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled vehicles:

Turtle Top learned of the recall through a notification by the National Highway Traffic and Safety Administration who is conducting an equipment query investigation (EQ13-001). The defective equipment was purchased from Ricon by Turtle Top to install in Turtle Top buses. Based on information that Ricon owes to Turtle Top, and with the aid of data query, purchasing records, Turtle Top's vehicle build records where the optional equipment was ordered, along with manufacture dates, and dates affected recalled equipment was ordered and installed, Turtle Top will be able to determine potential vehicles affected under this recall by model names and model years.

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.

From Ricon's Part 573 Report: The affected lifts are equipped with a hand held pendant control whereupon the cord is protected by a flexible, steel conduit (an armored pendant cable) and an external power lug at the base of the hydraulic pump. In the event the lift is installed such that the armored pendant cable is not managed to be kept clear of the wheelchair lift and the protective elastomeric cover is either omitted or improperly installed, the armored pendant cable may contact the power lug resulting in a high current short circuit and the possibility of fire.

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

From Ricon's Part 573 Report: Failure to install the pendant cable such that it is kept clear of the wheelchair lift base combined with an improperly installed or omitted protective elastomeric boot.

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

From Ricon's Part 573 Report: If the aforementioned short circuit occurs and is not removed within a few seconds, a vehicle fire may result in placing vehicle occupants at risk.

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

From Ricon's Part 573 Report: Sparks at the base of the lift power pack, rapid heating of the armored pendant cable, wisps of smoke, strong smell of burnt plastic.

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

Ricon Corporation
A Wabtec Company
7900 Nelson Road
Panorama City, CA 91402

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

Stanton D. Saucier, P.E., Vice President—Marketing and Product Planning, Ricon Corporation

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.~~

6 above: Letter from NHTSA dated June 14, 2014, received via certified mail to Turtle Top, in regards to NHTSA's equipment query investigation included information on the details of Ricon Corporation's recall and Ricon's reporting to the NHTSA that Ricon distributed defective wheelchair lifts to Turtle Top for installation in new buses. Turtle Top responded to the NHTSA via return letter and e-mail that Turtle Top had not been notified of the issue and the letter from the NHTSA was the first Turtle Top was made aware of the issue. Turtle Top subsequently contacted Ricon Corporation to determine whether indeed any Turtle Top vehicles were part of the potential recall population and for more information on the issue.

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 Ricon's documents already posted to NHTSA equipment recall 13E-001 (document search—
website = <http://www-odi.nhtsa.dot.gov/recalls/>): for Defect Notice (Part 573 Report), Owner
Notification Letters and other recall related documents.

From Ricon's Part 573 Report: Ricon will provide instructions for managing the pendant cord and will supply a supplemental cover kit at no charge. It will be the responsibility of the lift owners to install the cover kit.

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.

From Ricon's Part 573 Report: Ricon will provide instructions for managing the pendant cord and will supply a supplemental cover kit at no charge. It will be the responsibility of the lift owners to install the cover kit.

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

From Ricon's Part 573 Report: The lifts power cord will have a new non-conducting cover.

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.

Condition was corrected by Ricon and the correction is the same as the recall remedy.

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 18, 2013 e-mailed response to the NHTSA on EQ13-003 and e-mailed Ricon requesting information - need timely information, documents, and questions answered from Ricon in order to meet the schedule below:

June 21, 2013: notification to the NHTSA of Turtle Top's vehicle recall via Part 573 Defect Report including written response to EQ31-003 (certified letter) from the NHTSA.

June 21, 2013: draft notification letter to the NHTSA for approval (approval of letter necessary prior to mailing).

June 21, 2013: initiate ownership records of affected vehicle owners.

Aug. 08, 2013: received affected serial number list from Ricon.

Aug. 27, 2013: complete list verification & X-reference with Turtle Top records to determine vehicles affected.

Aug. 28, 2013: revised 573 defect report sent to the NHTSA, awaiting approval of draft notification letter.

Sept 10, 2013: mailing of notification letters to owners begins (4th QTR 2013) if the NHTSA approves the notification letter prior to Sept. 10th. Page 6

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.

Note: Included with the previous Part 573 Defect Report was a written response to NHTSA on the certified letter sent to Turtle Top dated June 14, 2013 about conducting an equipment query investigation (EQ13-003) and the draft notification letter to Turtle Top vehicle customers and dealers.

Note: Turtle Top will be working with Ricon who will be handling the recall on Turtle Top's behalf.

List of Turtle Top Vehicles involved with this Recall:

<u>Model</u>	<u>Year</u>	<u>Number of Vehicles Potentially Involved</u>
Odyssey	2007	1
Odyssey	2009	24
Odyssey	2010	7
Odyssey	2011	29
Odyssey	2012	20
Terra Transport	2006	2
Terra Transport	2007	35
Terra Transport	2008	10
Terra Transport	2011	1
Van Terra	2007	1
Van Terra	2008	1
Van Terra	2011	1
Total		132