



SPARTAN MOTORS

1541 Reynolds Rd. Charlotte, MI 48813 | P: 517.543.6400
SPARTANMOTORS.COM

November 12, 2018

National Highway Traffic Safety Administration
1200 New Jersey Ave. SE
Washington, DC 20590
Attn: Administrator

RE: 18V-720 Spartan Motors, Inc. - Petition for Inconsequentiality

Dear Administrator:

On behalf of Spartan Motors USA, Inc., Spartan Motors, Inc. submits this Petition for Determination of Inconsequential Noncompliance (“Petition”) pursuant to the National Traffic and Motor Vehicle Safety Act (“Safety Act”), 49 U.S.C. §30118(d) and 49 C.F.R. Part 556, for an exemption from the notice and remedy requirements of 49 U.S.C. §30118(c) and 49 CFR Part 577, on the ground that the noncompliance to which this petition relates is inconsequential to motor vehicle safety. Spartan Motors USA, Inc. (Spartan USA), a wholly owned subsidiary of Spartan Motors, Inc., principal place of business at 1541 Reynolds Road Charlotte, MI 48813. Spartan USA is a manufacturer of emergency response custom chassis cabs and chassis.

Introduction

On October 5, 2018, Spartan USA determined that a non-compliance with FMVSS 121, Air Brake Systems, exists on certain emergency response chassis cabs it manufactured. More specifically, Spartan USA determined that approximately 3 emergency rescue chassis cabs do not meet the requirements of FMVSS 121, S5.3.3.1(a), which specifies from an initial service reservoir system air pressure of 100 psi, each brake chamber shall, when measured from the first movement of the service brake control, reach 60 psi in not more than 0.45 seconds in the case of trucks and buses. On October 12, 2018, Spartan USA submitted notification regarding the non-compliance to the Recall Management Division of the National Highway Traffic Safety Administration as required by 49 CFR Part 573 – Defect and Non-Compliance Responsibility and Reports. A copy of Spartan Motors Chassis, Inc. Part 573 Noncompliance Report is attached as Exhibit 1. The chassis cabs meet all other performance requirements of FMVSS 121. This issue has been corrected at the production facility and all products currently being shipped meet the applicable requirements.

For the reasons discussed below, Spartan USA believes the non-compliance to be inconsequential to motor vehicle safety and requests that it be exempted from the Safety Act’s notification and remedy requirements.

The measurement of time, in this case, is for when air pressure at the chamber reaches 60 psi. As stated, the brakes are still being applied irrespective of achieving the 60 psi pressure at the front brake chambers. The impact of being 0.044 to 0.05 seconds above the requirement of 0.45 seconds would have very little impact (approximately 4ft @ 60 mph) to stopping distance of the vehicle and would not impede the capability of the vehicle being able to stop.

According to Driver's License Manual, stopping distance is impacted by driver perception distance and reaction distance. Other factors include speed and gross weight of the vehicle. These attributes would appear to have a more significant impact to overall stopping distance than 0.05 second timing for air pressure to reach 60 psi at the front brake chambers.

From a speed of 60 mph, vehicles affected by this condition are required to achieve a complete stop in 310 ft. It would take approximately 3.52 seconds for vehicles to stop at this rate of speed. Vehicles affected by the condition that has resulted in the identified non-compliance are capable of stopping within the distance of 310 ft as prescribed by FMVSS 121 and would still be able to stop within the required stopping distance.

Conclusion

Based upon the foregoing, Spartan USA believes that the non-compliance is inconsequential to motor vehicle safety and requests that it be exempt from the notice and remedy provisions of the Safety Act.

Please contact me with any questions or would like additional information.

Best Regards,



Wesley D. Chestnut
Manager, Product Safety and Compliance



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Vehicle Report

NHTSA ID: 18V720 Transaction ID: 18-001731-21389-10 (Original Report)

Required fields indicated with *

Manufacturer: Spartan Motors USA

1541 Reynolds Road
 Charlotte MI 48813

Wesley Chestnut
 517-543-6400,

This is a Noncompliance Report. Filing a petition pursuant to [49 CFR 556](#)

Vehicle Information

Spartan Emergency Respons Gladiator 2017

* Model Yr. Start: 2017	* Model Yr. End: 2017	Type: BUSES, MEDIUM & HEAVY VEHICLES
* Make: Spartan Emergency Respons		Body Style: OTHER
* Model: Gladiator		Powertrain: DIESEL
Production Dates	Begin: 11/16/2016 End: 11/18/2016	Descriptive Information: Vehicles affected by this non-compliance filing are equipped with wire braid hoses.
VIN Range(s):	Begin: End:	

Number potentially involved: 3 **Estimated percentage of involved with defect:** 100%

Defect / Noncompliance Description

For this Defect/Noncompliance:

*** Describe the defect or noncompliance:**
 The service brake application timing exceeds the .45 timing requirement identified in S5.3.3.1(a) of FMVSS 121 which states, with an initial service reservoir system air pressure of 100 psi, the air pressure in each brake chamber shall, when measured from the first movement of the service brake control, reach 60 psi in not more than 0.45 second in the case of trucks and buses,

If a noncompliance, provide the applicable FMVSS:
 121 - Air brake systems

If applicable, provide any further FMVSS affected:

Describe the cause:
 Still under investigation.

This Recall affects all vehicles.

If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.

Component manufacturer is unknown, information is for our supplier

Company Information

Company Name:

Country:

Address 1:

Address 2:

City:

State:

Zip/Postal Code:

Company Contact Information

First Name:

Last Name:

Position:

Email:

Phone:

*** Describe the safety risk:**
 Delayed service brake application may result in increased stopping distance.
Identify any warning which can precede or occur:
 The application timing occurs without warning.

Chronology of Defect / Noncompliance Determination

Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.:
 This will be updated by COB on Monday 10/15

Part 573 Safety Recall Report

18V-720

Manufacturer Name : Spartan Motors USA**Submission Date :** DEC 26, 2018**NHTSA Recall No. :** 18V-720**Manufacturer Recall No. :** NR**Manufacturer Information :**

Manufacturer Name : Spartan Motors USA

Address : 1541 Reynolds Road

Charlotte MI 48813

Company phone : 517-543-6400

Population :

Number of potentially involved : 15

Estimated percentage with defect : 100 %

Vehicle Information :

Vehicle 1 : 2018-2019 Spartan Emergency Respons Gladiator and Metro Star

Vehicle Type : BUSES, MEDIUM & HEAVY VEHICLES

Body Style : OTHER

Power Train : DIESEL

Descriptive Information : Vehicles subject to this portion of the non-compliance are equipped with an Independent Front Suspension and an incorrectly sized air line between a quick release valve and the ABS valves for the front air brakes.

Production Dates : MAY 22, 2018 - OCT 30, 2018

VIN Range 1 : Begin :

NR

End : NR

 Not sequential

Vehicle 2 : 2017-2019 Spartan Emergency Respons Gladiator

Vehicle Type : BUSES, MEDIUM & HEAVY VEHICLES

Body Style : OTHER

Power Train : DIESEL

Descriptive Information : Vehicles affected by this non-compliance filing are equipped with wire braid hoses.

Production Dates : NOV 16, 2016 - NOV 18, 2016

VIN Range 1 : Begin :

NR

End : NR

 Not sequential**Description of Noncompliance :**

Description of the Noncompliance : The service brake application timing exceeds the .45 timing requirement identified in S5.3.3.1 (a) of FMVSS 121 which states, with an initial service reservoir system air pressure of 100 psi, the air pressure in each brake chamber shall, when measured from the first movement of the service brake control, reach 60 psi in not more than 0.45 second in the case of trucks and buses,

FMVSS 1 : 121 - Air brake systems

FMVSS 2 : NR

Description of the Safety Risk : Delayed service brake application may result in increased stopping distance.

Description of the Cause : Still under investigation.

Identification of Any Warning that can Occur : The application timing occurs without warning.

Supplier Identification :

Component Manufacturer

Name : NR

Address : NR

NR

Country : NR

Chronology :

This will be updated by COB Wednesday 02JAN19. This NCIR is part of an on-going investigation/evaluation of the air brake systems. This investigation is expected to be completed on, or near, 01FEB19.

Description of Remedy :

Description of Remedy Program : Pending NHTSA's response to the forthcoming petition.

How Remedy Component Differs from Recalled Component : This configuration of air brake system is no longer in production. More specifically, the wire braid air lines.

Identify How/When Recall Condition was Corrected in Production : NR

Recall Schedule :

Description of Recall Schedule : NR

Planned Dealer Notification Date : NR - NR

Planned Owner Notification Date : NR - NR

* NR - Not Reported