

EXECUTIVE SECRETARIAT  
RECEIVED-NHTSA

2019 MAY -8 P 2: 29

Administrator  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Reference: NHTSA ID 19V262

Pursuant to 49 U.S.C. 30118(d) and 49 C.F.R. Part 556, please see Gillig LLC's attached petition for inconsequential treatment regarding a non-compliance of a limited population of Gillig buses with regard to the starter interlock requirements specified in FMVSS 102, Section 3.1.3.

Thank you for consideration of this request.

Sincerely,



Marco Genova  
Product Safety & Compliance Manager  
Gillig LLC  
451 Discovery Drive  
Livermore, CA 94551  
(510) 264-3833  
[marco.genova@gillig.com](mailto:marco.genova@gillig.com)

ES19-001706

## **Gillig, Inc. - Petition for Inconsequential Noncompliance**

### **I. Background.**

Gillig, LLC (“Gillig”) is a limited liability company with its principal place of business in Livermore, California. Gillig is a manufacturer of transit buses that are offered in a variety of powertrain options. The Allison family of bus automatic transmissions are one of these options. On February 14, 2019, Allison Transmission Inc. (“ATI”) conducted an OEM product audit review at Gillig’s headquarters in Livermore, California. ATI discovered a conventional bus equipped with an ATI B400R transmission had cranked while the shift selector drive command was selected, thus causing a condition that is non-compliant with Federal Motor Vehicle Safety Standard No. 102 “Transmission shift position sequence, starter interlock and transmission braking effect.”

### **II. Description of the issue.**

Subsequent to ATI’s product review audit, Gillig, in concert with ATI, conducted a comprehensive review and discovered that a population of 925 buses<sup>1</sup> equipped with ATI transmission models B400R, B3400R and B500R are potentially non-compliant with FMVSS 102 (Section 3.1.3), which specifies that the engine starter shall be inoperative when the transmission shift position is in a forward or reverse drive position.

The potentially non-compliant condition occurs as follows: when the ignition switch is in the ON position, the engine is stopped, the shift selector is in the “Forward” or “Reverse” position, and the start button is depressed, the starter cranks the engine, but the transmission does not engage because, according the ATI, the shifter is in an inhibited state. With the engine then running, the vehicle operator must perform four separate actions in a specific sequence to engage the

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<sup>1</sup> These buses were manufactured between December 23, 2013 and February 25, 2019.

transmission and move the vehicle under power, specifically a) place foot on brake b) select neutral c) select a gear d) remove foot from foot brake. Fortunately, however, because the transmission controller defaults the transmission to neutral after an engine start, there is no risk of unintentional vehicle movement, and thus no safety risk arises as a result of the non-compliant condition.

Pursuant to 49 CFR Section 573.5, Gillig filed a non-compliance defect report and presented a remedy plan to NHTSA consisting in a re-programming software for the vehicle body control modules of all vehicles affected. *See* Recall No. 19V-262 (noncompliance with FMVSS 102, Section 3.1.3). After reviewing the initial submission, and in light of the non-safety related nature of the issue, on April 18, 2019, NHTSA recommended that Gillig file a petition for inconsequential non-compliance. Gillig hereby requests inconsequential treatment with regard to the affected vehicle population pursuant to 49 U.S.C. 30118(d) and 49 C.F.R. Part 556.

### **III. Conclusion.**

Based upon the foregoing data and information, Gillig requests that the agency issues a finding that any noncompliance with the starter interlock requirements of FMVSS 102 is inconsequential to motor vehicle safety.

**Company Name:**  
**Country:**  
**Address 1:**  
**Address 2:**  
**City:**  
**State:**  
**Zip/Postal Code:**

**First Name:**  
**Last Name:**  
**Position:**  
**Email:**  
**Phone:**

#### Chronology of Defect / Noncompliance Determination

Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision:  
(2000 character limit)

02/14/2019: Allison Transmission Inc. (ATI) conducted a field performance audit at GILLIG headquarters and discovered a conventional bus B400R cranked while the shift selector drive command was selected.  
 03/20/2019: ATI notified GILLIG about their findings, implying a possible non-compliance with FMVSS 102  
 03/21/2019: GILLIG initiated an internal investigation to determine root cause and possible corrective actions.  
 03/22/2019: Root cause and compliance analysis demonstrated vehicle operational safety and confirmed ATI's original position on non-compliance with FMVSS 102.  
 03/28/2019: GILLIG determined the total vehicle population that is affected by the issue  
 03/29/2019: GILLIG decided to voluntarily file a formal safety recall with NHTSA

#### Identify the Remedy

Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.

The ATI ETC7 transmission message will be used in lieu of the ETC2 on all affected vehicles.

Describe what distinguishes the remedy component from the recalled component.

The bus main body controller model will use the ETC7 message in lieu of the ETC2 message to control engine starter function.

Identify and describe how and when the recall condition was corrected in production.

All new buses manufactured after February 25, are using the ETC7 transmission message.

#### Recall Schedule:

Describe the recall schedule for notifications:

GILLIG plans to send out owner notification letters between April 20 and May 20 2019

Planned Dealer Notification Begin Date: April 20, 2019

Planned Dealer Notification End Date: May 20, 2019

Planned Owner Notification Begin Date: April 20, 2019

Planned Owner Notification End Date: May 20 2019

Manufacturer's identification code for this recall (if applicable): N/A

*Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.*

#### Manufacturer Comments to NHTSA Staff

## Part 573 Safety Recall Report

19V-262

**Manufacturer:****GILLIG LLC**

451 Marco Genova  
 Discovery Safety & Compliance Manager  
 Drive  
 Livermore  
 CA 94551

510-264-3833

Are you reporting a: Safety Defect ☐ Non-Compliance ☒☒ Please select this box if you intend to file a petition pursuant to 49 CFR 556**Vehicle Information:**

Model Yr. Start: 2013 Model Yr. End: 2019  
 Make: GILLIG LLC  
 Model: LOW FLOOR  
 Type: BUSES, MEDIUM & HEAVY VEHICLES  
 Body Style: OTHER  
 Powertrain: ALL  
 Production Dates: Begin: 12/23/2013 End: 02/25/2019

**Descriptive Information:**  
(2000 character limit)

The engine starter remains operational when the transmission shift selector position is in forward or reverse drive position.

**VIN (Vehicle Identification Number) Range**

Begin: 15GGD2715E1182783 End: 15GGD3114K3192609 ☒ Not sequential VINs

**Number potentially involved:** 925 **Estimated percentage of involved with defect:** 100%

**Describe the defect or noncompliance:**  
(2000 character limit)

The engine starter is operational when the transmission shift selector is in forward or reverse drive position thus creating a non-compliance with the "starter interlock" requirements of FMVSS 102 Sec. 3.1.3.

**If a noncompliance, provide the applicable FMVSS:**

FMVSS 102 "Transmission shift position sequence, starter interlock and transmission braking effect"

**If applicable, provide any further FMVSS affected:**

N/A

**Description of the Cause:**  
(2000 character limit)

Allison Transmission controller message (ETC2) rather than ETC7, was used on a limited population of GILLIG buses.

**Description of the Safety Risk:**  
(2000 character limit)

There is no safety risk. With the ignition switch in the ON position and the engine stopped, the shift selector in the "Forward" or "Reverse" position, when the start button is depressed the starter would crank the engine but the transmission would not be engaged so there is no risk of unintentional vehicle movement.

**Identify any warning which can precede or occur:**  
(2000 character limit)

N/A

☐ Check if this recall only affects products in certain geographic regions.

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 ☐  
 Company Information

Component manufacturer is unknown, information is for our supplier ☐  
 Company Contact Information

# Part 573 Safety Recall Report

## 19V-262

**Manufacturer Name :** Gillig LLC**Submission Date :** APR 23, 2019**NHTSA Recall No. :** 19V-262**Manufacturer Recall No. :** NR**Manufacturer Information :**

Manufacturer Name : Gillig LLC

Address : 451 Discovery Drive  
LIVERMORE CA 94551

Company phone : 1-800-735-1500

**Population :**

Number of potentially involved : 925

Estimated percentage with defect : 100 %

**Vehicle Information :**

Vehicle 1 : 2013-2019 Gillig Low Floor

Vehicle Type : BUSES, MEDIUM &amp; HEAVY VEHICLES

Body Style : ALL

Power Train : NR

Descriptive Information : The engine starter remains operational when the transmission shift position is in forward or reverse drive position

Production Dates : DEC 23, 2013 - FEB 25, 2019

VIN Range 1 : Begin : 15GGD2715E1182783 End : 15GGD3114K3192609 ☒ Not sequential**Description of Noncompliance :**

Description of the Noncompliance : The engine starter is operational when the transmission shift selector is in forward or reverse drive position thus violating the "starter interlock" requirements of FMVSS 102 Sec. 3.1.3.

FMVSS 1 : 102 - Trans shift lever seq/starter interlock/trans braking effect

FMVSS 2 : NR

Description of the Safety Risk : There is no safety risk. With the ignition switch in the ON position and the engine stopped, the shift selector in the "Forward" or "Reverse" position, when the start button is depressed the starter would crank the engine but the transmission would not be engaged so there is no risk of unintentional vehicle movement.

Description of the Cause : An inappropriate Allison Transmission controller message (ETC2) rather than ETC7, has been used on a limited population of Gillig buses.

Identification of Any Warning that can Occur : NR

**Supplier Identification :****Component Manufacturer**

Name : NR  
Address : NR  
NR  
Country : NR

**Chronology :**

02/14/2019: Allison Transmission Inc. (ATI) conducted a field performance audit at GILLIG headquarters and discovered a conventional bus B400R cranked while the shift selector drive command was selected.  
03/20/2019: ATI notified GILLIG about their findings, implying a possible non-compliance with FMVSS 102  
03/21/2019: GILLIG initiated an internal investigation to determine root cause and possible corrective actions.  
03/22/2019: Root cause and compliance analysis demonstrated vehicle operational safety and confirmed ATI's original position on non-compliance with FMVSS 102.  
03/28/2019: GILLIG determined the total vehicle population that is affected by the issue  
03/29/2019: GILLIG decided to voluntarily file a formal safety recall with NHTSA

**Description of Remedy :**

Description of Remedy Program :	The ATI ETC7 transmission message will be used in lieu of the ETC2 on all affected vehicles.
How Remedy Component Differs from Recalled Component :	The bus main body controller model will use the ETC7 message in lieu of the ETC2 message to control engine starter function.
Identify How/When Recall Condition was Corrected in Production :	All new buses manufactured after February 25, are using the ETC7 transmission message.

**Recall Schedule :**

Description of Recall Schedule :	Gillig plans to send out owner notification letters between April 20 and May 20 2019
Planned Dealer Notification Date :	APR 20, 2019 - MAY 20, 2019
Planned Owner Notification Date :	APR 20, 2019 - MAY 20, 2019

\* NR - Not Reported