



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

1200 New Jersey Avenue SE  
Washington, DC 20590

October 16, 2018

Mr. Allen Peacock  
VP of Engineering  
Fontaine Trailer Company  
430 Letson Road  
Haleyville, AL 35565

NEF-150MR  
18V-660

**Subject:** Incorrect Rear Under Ride Guard/FMVSS 223, 224

Dear Mr. Peacock:

This letter serves to acknowledge Fontaine Trailer Company'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:**

FONTAINE/INFINITY/2019

**Mfr's Report Date:** September 24, 2018

**NHTSA Campaign Number:** 18V-660

**Components:**

STRUCTURE

**Potential Number of Units Affected:** 100

**Problem Description:**

Fontaine Trailer Company (Fontaine) is recalling certain 2019 Fontaine Infinity trailers. These trailers were built with an under ride guard compliant for a wheels back trailer configuration, however, due to the customers design changes, the wheel set was moved forward and the vehicles no longer meet the definition of a wheels back trailer. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard (FMVSS) number 223, "Rear Impact Guards," and 224, "Rear Impact Protection."

**Consequence:**

The incorrect rear impact guards may not adequately reduce the possibility of a car traveling under the trailer in the event of a crash, increasing the risk of injury to the car driver.

**Remedy:**

Fontaine will notify owners, and dealers will remove the C-channel style horizontal member and replace it with a 4-inch tube and reinforcement gusset, free of charge. The recall is expected to begin in October 2018. Owners may contact Fontaine customer service at 1-877-345-9526.

**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.safercar.gov](http://www.safercar.gov).

We note that your report states that Fontaine does not believe that the incorrect under ride guards present an unreasonable risk to motor vehicle safety. In our view, since these trailers fail to meet the minimum requirements of a Federal Motor Vehicle Safety Standard this statement has no force or effect in terms of Fontaine's obligation to undertake and complete the recall and NHTSA does not agree with it.

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.

We have received Fontaine's proposed owner notification letter and it is currently under review. You will be notified of any changes or concerns once our review is complete.

Please be reminded of the following requirements:

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).

As stated in Part 573.7, submission of the first of six 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.

Your contact for this recall will be Michelle Rice who may be reached by phone at (202) 366-1060, or by email at [michelle.rice@dot.gov](mailto:michelle.rice@dot.gov). We look forward to working with you.

Sincerely,



Jennifer Timian  
Chief, Recall Management Division  
Office of Defects Investigations  
Enforcement