

Part 573 Safety Recall Report

19V-190

Manufacturer Name : Erwin Hymer Group dba American Fastbacks

Submission Date : APR 03, 2019

NHTSA Recall No. : 19V-190

Manufacturer Recall No. : NR



Manufacturer Information :

Manufacturer Name : Erwin Hymer Group dba American Fastbacks
Address : 1945 Burgundy Place
 Ontario CA 91761
Company phone : 390-0002

Population :

Number of potentially involved : 156
Estimated percentage with defect : 100 %

Vehicle Alterer Information :

Vehicle 1 : 2017-2018 Jeep Wrangler

Descriptive Information : Presently, all American Fastback Jeep Wrangler models (Badlands, Force Recon, Stryker, and Defcon) are non-compliant per the Federal Motor Vehicle Safety Standards, Cargo Carry Capacity, Final Rule, 49 CFR Part 571.

Production Dates : JAN 08, 2018 - DEC 21, 2018

Description of Noncompliance :

Description of the Noncompliance : Company is a second-stage OEM and/or alterer of Jeep Wranglers purchased directly from Fiat Chrysler Automobiles (FCA) group. During the upfitting stage, EHGUSA-AF shop employees remove FCA certified parts and replace them with aftermarket ones that increase the overall weight of the vehicle. As a final quality assurance verification, shop employees weigh each of the vehicles before shipment and update the cargo carrying capacity label since the added weight change of the lessor of 1.5% of Gross Vehicle Weight Rating (GVWR) or 100 pounds.

FMVSS 1 : NR

FMVSS 2 : NR

Description of the Safety Risk : Company has learned that after alterations are completed, the overall weight of the vehicle is anywhere from 400 to 600 pounds above the allowable GVWR set forth by the OEM. This excessive weight can impact the vehicle's handling, braking and crashworthiness when driving on the road by negatively changing the vehicle center of gravity and overall stability.

Description of the Cause : NR

Identification of Any Warning that can Occur : None

Supplier Identification :**Component Manufacturer**

Name : NR

Address : NR

NR

Country : NR

Chronology :

Current management is currently investigating the chronology of the defect/noncompliance determination to determine when former management became aware of the issue and what steps were taken at that time.

(Update on 4/3/2019)

At the end of August 2018, an employee of Erwin Hymer Group USA LP dba American Fastbacks (EHGNA USA LP) elevated a question to the then existing EHGNA USA LP management regarding the possibility of the upfitted vehicles exceeding the Gross Vehicle Weight Rating. Management did not respond to this inquiry. EHGNA USA LP is a sister company of Erwin Hymer Group North America, a Canadian entity (EHGNA Canada). From EHGNA USA LP's investigation into the matter, it appears that the EHGNA Canada management group potentially discussed the issue in September 2018. In February 2019, various issues with the existing management of EHGNA Canada came to light. It was determined that certain former Canadian management members actively concealed certain company information. Many EHGNA Canada management members were terminated from EHGNA Canada. EHGNA Canada began the process of ceasing its business operations in late February 2019. It was during this process when the scope of many of these issues at EHGNA USA LP came to light. The new management of EHGNA USA LP involved with winding down the business determined that a NHTSA recall needed to be initiated. The preliminary filing with NHTSA was made shortly thereafter on March 7, 2019 by the US company.

Description of Remedy :

Description of Remedy Program : EHGUSA-AF is in the process of dissolving its business operations and has limited resources available. EHGUSA-AF is currently evaluating whether a repair option is available at no cost. One potential remedy is to change the upfit package that exceeds the GVWR with a different package that complies with the vehicle's GVWR. EHGUSA-AF is still evaluating whether this repair option is feasible. In addition, EHGUSA-AF is also evaluating whether to repurchase the vehicles. Company has notified its dealers of the recall and directed them to not sell any of the affected units. Company will send out approved 573 notices once those are finalized and submitted to NHTSA. Company will provide supplemental notifications to NHTSA on its repair/repurchase plan as soon as it has confirmation on the options available.

The Company is currently working on securing financing for a remedy plan. If funding is secured, one of the plans the Company is considering will be the following remedy plan. For noncompliant vehicles that are still at dealerships that have not been sold to a consumer or that are onsite with the Company, the Company proposes to modify the rear seating position on each vehicle to increase the occupant and cargo carrying capacity (OCCC). The Badlands model will receive a 100% rear seat delete which adds 450lbs. of OCCC to the vehicle. This modification will make extra room for an upgraded pop-up roof and kitchen galley (e.g. Overland package) for camping customers. The ForceRecon, Stryker and Defcon models will eliminate 60% rear seat delete while maintain 40% (one rear seating position) for a multi-passenger vehicle. This will save 300lbs. of OCCC to these vehicles while keeping all heavy aftermarket parts. For noncompliant vehicles that have already been sold to a consumer user, if funding is secured, the Company will repurchase all vehicles. Company will pay the consumer for one-way transportation costs associated with returning the vehicle to the Company

How Remedy Component Differs from Recalled Component : NR

Identify How/When Recall Condition was Corrected in Production : EHGUSA-AF is no longer actively conducting business. It does not anticipate that any new vehicles will be upfitted.

Recall Schedule :

Description of Recall Schedule : EHGUSA-AF mailed dealer notifications on March 8, 2019 instructing the dealers to not sell any of the units. It will send out additional notices once more information is available regarding the repair/replacement plan. EHGUSA-AF anticipates mailing consumer notices within the next thirty days. It is believed that there are only ten consumer purchasers of these vehicles. EHGUSA-AF will submit the 573 consumer notices to NHTSA, along with copies of the outside of the envelopes, before mailing the letters. It is anticipated that all notifications will be completed within the next 45 days. EHGUSA-AF will provide NHTSA with supplemental notice regarding the estimated date on which notifications will be issued.

Planned Dealer Notification Date : MAR 08, 2019 - MAR 29, 2019

Planned Owner Notification Date : MAR 15, 2019 - APR 15, 2019

Purchaser Information :

The following manufacturers purchased this defective/noncompliant equipment for possible use or installation in new motor vehicles or new items of motor vehicle equipment:

Name :

Address :

Country :

Company Phone :

* NR - Not Reported