



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

1200 New Jersey Avenue SE
Washington, DC 20590

July 22, 2020

Mr. Bill Nicolle
Compliance Officer
Daimler Coaches North America
160 Base Road
Oriskany, NY 13424-0748

NEF-150MR
20V-406

Subject: ESC Switch can Be Disabled/ FMVSS 136

Dear Mr. Nicolle:

This letter serves to acknowledge Daimler Coaches North America'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:

SETRA/S407 CC/2018-2019
SETRA/S417 TC/2019-2020

Mfr's Report Date: July 14, 2020

NHTSA Campaign Number: 20V-406

Components:

ELECTRONIC STABILITY CONTROL

Potential Number of Units Affected: 64

Problem Description:

Daimler Coaches North America (DCNA) is recalling certain 2018-2019 Setra S407 and 2019-2020 Setra S417TC motorcoaches. These vehicles are equipped with a driver-selected Electronic Stability Control (ESC) "OFF" switch for disabling the traction control portion of ESC, allowing it to remain disabled at speeds above 20 km/h. As such, these vehicles fail to comply with Federal Motor Vehicle Safety Standard (FMVSS) number 136, "Electronic Stability Control."

Consequence:

If the vehicle is operated above 20 km/h while the Electronic Stability Control system is disabled, there is a greater chance of loss of stability control, increasing the risk of a crash.

Remedy:

DCNA will notify owners, and dealers will replace the "ESC OFF" switch with a new "TC-Off" button, install an indicator light on the dashboard to indicate when the traction control is deactivated, and perform a software to prevent the ESC system from being disabled, update free of charge. This recall is expected to begin September 7, 2020. Owners may contact DCNA customer service at 1-800-206-9728. DCNA's number for this recall is 43.54U20107A.

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.

Please ensure the following requirements are met:

A statement that the defect or noncompliance can cause a vehicle crash without prior warning; or a description of whatever prior warning may occur, and a statement that if this warning is not heeded, a vehicle crash can occur (49 CFR 577.5 (f)(1)).

AMENDED 573 REQUIRED.

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 DCNA'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. We look forward to working with you.

Sincerely,



Joshua Neff
Chief, Recall Management Division
Office of Defects Investigations
Enforcement