



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

1200 New Jersey Avenue SE
Washington, DC 20590

January 19, 2023

GRAHAM HOWARD
Gratimax, LLC
3375 Chesnee Highway
Chesnee, SC 29323

NEF-107MR
23V-008

Subject: Incorrectly Designed Rear Impact Guard/FMVSS 224

Dear GRAHAM HOWARD:

This letter serves to acknowledge Gratimax, LLC'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:

MCELRATH TRAILERS/VX75 XCEL/2013-2023

Mfr's Report Date: January 13, 2023

NHTSA Campaign Number: 23V-008

Components:

EXTERIOR LIGHTING:TAIL LIGHTS
STRUCTURE:BODY

Potential Number of Units Affected: 31

Problem Description:

Gratimax, LLC (Gratimax) is recalling certain 2013-2023 McElrath Trailers VX75 Xcel vacuum excavator trailers. The design of the rear impact guard resulted in the incorrect placement of the taillights. In addition, the guard may fail to prevent a vehicle from traveling under the trailer during a rear impact crash. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard numbers 108, "Lamps, Reflective Devices, and Associated Equipment" and 224, "Rear Impact Protection."

Consequence:

Incorrect placement of the taillights may reduce the visibility of the trailer, increasing the risk of a crash. During a crash, a vehicle that travels under the rear of the trailer increases the risk of injury.

Remedy:

Dealers will reposition the taillights and modify the rear impact guard, free of charge. Owner notification letters are expected to be mailed March 6, 2023. Owners may contact Gratimax customer service at 1-864-814-2220. Gratimax's number for this recall is 21434.

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.nhtsa.gov.



Please ensure the following requirements are met:

Per the requirements of 49 USC 30119, please provide the part number, name and description of the component or components involved in this recall. This information should be provided in an amended 573 in the "Involved Components" section.

AMENDED 573 REQUIRED.

A description of the manufacturer's program for remedying the rear impact guard noncompliance (49 CFR 573.6 (c)(8)(i)).

AMENDED 573 REQUIRED.

Please be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, 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).

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.

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

Gratimax, LLC's contact for this recall will be Michelle Rice who may be reached by email at michelle.rice@dot.gov. We look forward to working with you.

Sincerely,



Alex Ansley
Chief, Recall Management Division
Office of Defects Investigation
Enforcement