

Part 573 Safety Recall Report

23V-008

Manufacturer Name : Gratimax, LLC**Submission Date :** JAN 13, 2023**NHTSA Recall No. :** 23V-008**Manufacturer Recall No. :** 21434**Manufacturer Information :**

Manufacturer Name : Gratimax, LLC

Address : 3375 Chesnee Highway

Chesnee SC 29323

Company phone : 8648142220

Population :

Number of potentially involved : 31

Estimated percentage with defect : 100 %

Vehicle Information :

Vehicle 1 : 2013-2023 McElrath Trailers VX75 Xcel

Vehicle Type : TRAILERS

Body Style :

Power Train : NR

Descriptive Information : Using various manufacturing documents and drawings for the model identified above, research identified non-compliance to 49 CFR 571.108 and 224.

The trailers are not compliant because the rear impact guard does not meet the design requirements of S5, FMVSS 224. In addition, due to the current design of the rear impact guard, the taillights do not meet the visibility or placement requirements of applicable SAE publications per S5, FMVSS 108.

One model has been identified as having the non-compliant design. A total of 31 vacuum excavator trailers are affected.

The affected trailer is custom designed by Vermeer MV Solutions, Inc., and built for one customer. All trailers of the affected model were built to this design, since the starting model year indicated above.

Trailers were built without proper lighting location and visibility from all specified positions, due to a custom rear impact guard design which limits visibility.

31 trailers have been identified using assembly 8048802 designed by Vermeer MV Solutions, Inc., built by McElrath Trailers and its successor in interest, Gratimax, LLC, beginning in 2013 and continuing until the present.

Production Dates : JAN 01, 2013 - JAN 04, 2023

VIN Range 1 : Begin : 1M9FE1229DS284400 End : 1G91A2027NC615039

 Not sequential

Description of Noncompliance :

Description of the Noncompliance : The trailers are not compliant because the rear impact guard does not meet the design requirements of S5, FMVSS 224. In addition, due to the current design of the rear impact guard, the taillights do not meet the visibility or placement requirements of applicable SAE publications per S5, FMVSS 108.

FMVSS 1 : 108 - Lamps, reflective devices, and assoc. Equipment

FMVSS 2 : 224 - Rear impact protection

Description of the Safety Risk : When towing the vacuum excavator trailer on public roadways, death or serious injury may result if drivers of other vehicles do not see the trailer at night or during limited sunlight and strike the trailer. In the event of a rear-impact crash, the other vehicle may travel under the rear of the trailer, increasing the risk of death or serious injury to someone in the other vehicle or to the towing vehicle occupants. Property or equipment damage may also occur.

Description of the Cause : The cause is due to the original design by Vermeer MV Solutions, Inc. which is the customer of McElrath Trailers. These trailers are build by Vermeer MV Solutions, Inc., specification for their own machines. McElrath Trailer builds these trailers according to Vermeer MV Solutions, Inc., design.

Identification of Any Warning that can Occur : None

Involved Components :

Component Name 1 : NR

Component Description : NR

Component Part Number : NR

Supplier Identification :**Component Manufacturer**

Name : Gratimax, LLC dba McElrath Trailers

Address : 3375 Chesnee Hwy
Chesnee South Carolina 29323

Country : United States

Chronology :

On December 8, 2022, Gratimax was notified by its customer, Vermeer MV Solutions, Inc., of a possible compliance issue relating to the design of the affected trailers. An investigation of the design was opened at that time, including review of applicable regulations, standards, manufacturing documents, and design files, and production of the affected trailers was placed on hold. On January 4, 2023, Gratimax decided that a non-compliance with FMVSS 108 and 224 existed.

Description of Remedy :

Description of Remedy Program : Gratimax will prepare field remedy kits, which will include the necessary parts and instructions to resolve the noncompliance issues described above. These field remedy kits will be provided to authorized dealers of Gratimax's customer, Vermeer MV Solutions, Inc., for installation. Upon installation and receipt of field remedy kit warranty claim, those dealers will be reimbursed for the parts and labor. Gratimax will collaborate with Vermeer MV Solutions, Inc. to notify owners of the affected trailers of the non-compliance and potential safety risk and of the available field remedy kit by letter, according to available product database records.

How Remedy Component Differs from Recalled Component : The field remedy kit provides the necessary parts and instructions to re-position the trailer taillights at prescribed, most practicable locations per NHTSA regulations and applicable SAE publications. The design of the necessary parts and instructions to resolve the non-compliance of the trailers' rear impact guards with FMVSS 224 is pending completion at this time and will be completed prior to notification to the owners of affected trailers.

Identify How/When Recall Condition was Corrected in Production : Production of the affected trailer model was placed on hold when the potential non-compliance was discovered. This production hold will remain in place until an approved solution can be implemented.

Through the Engineering Change Notification process, the bill of materials for the affected model will be updated to install adequate and properly positioned components to meet FMVSS 108 and 224.

Recall Schedule :

Description of Recall Schedule : Dealer notification will begin within 45 days, by email, including a list of affected trailers in each dealer's area of responsibility. Owner notification letters will be sent within 59 days.

Planned Dealer Notification Date : MAR 01, 2023 - APR 30, 2023

Planned Owner Notification Date : MAR 06, 2023 - MAR 31, 2023

* NR - Not Reported