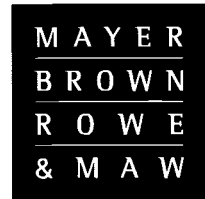


RECEIVED
NOV 1 2005

2005 NOV -7 P 12:14

OFFICE OF
DEFECTS INVESTIGATION



November 1, 2005

BY CERTIFIED MAIL

Ms. Patricia Wallace
Recall Management Division
National Highway Traffic Safety Administration
Room 5319
400 Seventh Street, S.W., NVS-215
Washington, D.C. 20590

Mayer, Brown, Rowe & Maw LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101

Main Tel (202) 263-3000
Main Fax (202) 263-3300
www.mayerbrownrowe.com

Adam C. Sloane
Direct Tel (202) 263-3269
Direct Fax (202) 263-5269
asloane@mayerbrownrowe.com

Re: 05V-020/Ferrari Non-Functioning Air Bag Switch

Dear Ms. Wallace:

Enclosed please find a representative copy of the owner notification concerning the availability of a remedy relating to the above-referenced recall. The owner notification was sent by Ferrari North America to Ferrari owners on October 31, 2005. In addition, I am enclosing a representative copy of a communication to dealers relating to the recall. This communication also was sent on October 31, 2005.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Sloane".

Adam C. Sloane

Enclosures



RECALL CAMPAIGN

REF. NO. 44
PASSENGER AIR BAG
INDICATOR LIGHT

612 SCAGLIETTI
MODEL YEAR 2005

OCTOBER 2005

READ , INITIAL
AND PASS ON »

Service Manager	Parts Manager	Service Writer	Technician				Warranty Clerk

October X, 2005

«FIRST» «LAST»
«ADD1»
«ADD2»
«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Dealer:

This notice is a follow up to the first notice we sent to you in the month of February. In the first notice we notified you that Ferrari S.p.A., the manufacturer of Ferrari automobiles, had decided that a defect which relates to motor vehicle safety exists in certain 2005 model year Ferrari 612 Scaglietti vehicles.

The defect consists of the presence of a non-functioning button with the words "Passenger Air Bag Off" etched into it and located, along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does *not* deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed. Ferrari is concerned, however, that drivers and customers may be misled by this non-functioning button and LED light into thinking that the passenger-side air bag has been, or can be, deactivated. As a result, infants and small children might be placed in the front passenger seat. ***The placement of infants and small children in the front passenger seat could result in serious injury or death in the event of a crash in which the passenger-side air bag deploys.***

The Ferrari 612 Scaglietti vehicles affected are as follows:

Model year 2005 612 Scagliettis with Vehicle Identification Numbers from:
ZFFAA54A150136719 to ZFFAA54A050141726.

Ferrari will provide, at no charge to the customer, a replacement console which does not contain the non-functioning button with the wording "Passenger Air Bag Off". Currently, the new console is available at our FNA parts department. Therefore, we notified the customer to take his or her vehicle to an authorized Ferrari dealer to have the console replaced as soon as possible.

The operation will be performed free of charge to the vehicle owner, and will require approximately 1.0 hour to complete.

Best Regards,

Adam Rowley
Vice President of Technical Services

Ferrari North America, Inc.

February __, 2005

«FIRST» «LAST»
«ADD1»
«ADD2»
«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Dealer:

Ferrari S.p.A., the manufacturer of Ferrari automobiles, has decided that a defect which relates to motor vehicle safety exists in certain 2005 model year Ferrari 612 Scaglietti vehicles.

The defect consists of the presence of a non-functioning button with the words "Passenger Air Bag Off" etched into it and located along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does not deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed. Ferrari is concerned, however, that drivers and customers may be misled by this non-functioning button and LED light into thinking that the passenger-side air bag has been, or can be, deactivated. As a result, infants and small children might be placed in the front passenger seat. ***The placement of infants and small children in the front passenger seat could result in serious injury or death in the event of a crash in which the passenger-side air bag deploys.***

The Ferrari 612 Scaglietti vehicles affected are as follows: Model year 2005 612 Scaglietti with Vehicle Identification Numbers from: ZFFAA54A150136719 to ZFFAA54A450140840.

In addition to this notice, Ferrari will provide, at no charge to the customer, a replacement console which does not contain the non-functioning button and LED light. When the new console is available, the customer will receive an additional notice informing them that they should take their vehicle to the nearest Ferrari dealer to have the console replaced free of charge. Dealers will also be notified separately as soon as Ferrari North America, Inc. receives the new console from the factory. The recall booklet for the dealers will be made available soon after the second notice is sent to the dealers.

Best Regards,
Enzo Francesconi
Vice President of Technical Services

October X, 2005

«FIRST» «LAST»
«ADD1»
«ADD2»
«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Customer:

This second notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

In the first notice we notified you that Ferrari S.p.A., the manufacturer of Ferrari automobiles, had decided that a defect which relates to motor vehicle safety exists in certain 2005 model year Ferrari vehicles.

The defect consists of the presence of a non-functioning button with the words "Passenger Air Bag Off" etched into it and located, along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does *not* deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed. Ferrari is concerned, however, that drivers and customers may be misled by this non-functioning button and LED light into thinking that the passenger-side air bag has been, or can be, deactivated. As a result, infants and small children might be placed in the front passenger seat. ***The placement of infants and small children in the front passenger seat could result in serious injury or death in the event of a crash in which the passenger-side air bag deploys.***

Ferrari will provide, at no charge to you, a replacement console which does not contain the non-functioning button. Currently, the new console is available at our dealers. Therefore, you should take your vehicle to an authorized Ferrari dealer to have the console replaced as soon as possible.

The operation will be performed free of charge to the vehicle owner, and will require approximately 1.0 hour to complete.

Ferrari also stated in the first notice that the non-functioning button with the words "Passenger Air Bag Off" could ***not*** turn off the passenger air-bag, and the LED light was not an indication that the passenger-side air bag had been deactivated. Because the passenger-side air bag cannot be turned off by any means, ***you should never place***

infants and small children in the front passenger seat of the 2005 Ferrari 612 Scaglietti.

The vehicles affected are as follows:

Model year 2005 612 Scagliettis with Vehicle Identification Numbers from:
ZFFAA54A150136719 to ZFFAA54A050141726.

If you have any questions, please call Ferrari North America, Inc. at 201-816-2600. If you believe that Ferrari has failed to remedy the defect described in this letter free of charge to you and within a reasonable time, you may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590; or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153); or go to <http://www.safercar.gov>

Federal regulation requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten working days.

If you no longer own this vehicle or your address has changed, please complete the enclosed prepaid yellow card and return it to Ferrari North America, Inc.

We urge you to comply with this notice promptly and we apologize for any inconvenience this may cause you.

Best Regards,

Adam Rowley
Vice President of Technical Services

February _, 2005

«FIRST» «LAST»
«ADD1»
«ADD2»
«CITY», «ST» «ZIP»

Serial Number: «VIN» «ASSY»

Dear Ferrari Customer:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

Ferrari S.p.A., the manufacturer of Ferrari automobiles, has decided that a defect which relates to motor vehicle safety exists in certain 2005 model year Ferrari vehicles.

The defect consists of the presence of a non-functioning button with the words "Passenger Air Bag Off" etched into it and located, along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does not deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed. Ferrari is concerned, however, that drivers and customers may be misled by this non-functioning button and LED light into thinking that the passenger-side air bag has been, or can be, deactivated. As a result, infants and small children might be placed in the front passenger seat. ***The placement of infants and small children in the front passenger seat could result in serious injury or death in the event of a crash in which the passenger-side air bag deploys.***

Ferrari is sending you this notice to inform you that the non-functioning button with the words "Passenger Air Bag Off" will **not** turn off the passenger air bag, and the LED light is not an indication that the passenger-side air bag has been deactivated. Because the passenger-side air bag cannot be turned off by any means, ***you should never place infants and small children in the front passenger seat of the 2005 Ferrari 612 Scaglietti.***

The vehicles affected are as follows:

Model year 2005 612 Scagliettis with Vehicle Identification Numbers from:
ZFFAA54A150136719 to ZFFAA54A350140537.

In addition to this notice, Ferrari will provide, at no charge to you, a replacement console which does not contain the non-functioning button and LED light. When the

new console is available, you will receive an additional notice informing you that you should take your vehicle to your dealer to have the console replaced free of charge.

The corrective action for the replacement of the console will be performed free of charge to you. Details about the repair and the length of time that it will take will be sent to you in the additional notice.

If you have any questions, please call Ferrari North America at 201-816-2600. If you believe that Ferrari has failed to remedy the defect described in this letter free of charge to you and within a reasonable time, you may submit a written complaint to the Administrator, National Highway Traffic Safety Administration, (NHTSA), 400 Seventh Street, SW, Washington, DC 20590. You may also telephone the toll free Auto Safety Hotline at 888-327-4236.

Federal regulation requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten working days.

If you no longer own this vehicle or your address has changed, please complete the enclosed prepaid yellow card and return it to Ferrari North America, Inc.

We urge you to comply with this notice promptly and we apologize for any inconvenience this may cause you.

Best Regards,

Enzo Francesconi
Vice President of Technical Services

RECALL CAMPAIGN NO. 44
Ferrari 612 Scaglietti
“Passenger Air Bag Indicator Light”
RECALL CAMPAIGN OVERVIEW

INTRODUCTION: Ferrari 612 Scaglietti

SUBJECT: Recall Campaign No. 44

VEHICLES: See the attached list of affected vehicles

All 2005 model year Ferrari 612 Scaglietti produced within the assembly numbers **54384 (VIN: 136719)** and **59025 (VIN: 141726)** are affected by this **recall campaign no. 44** whose subject is the passenger air bag indicator light.

CONDITION: The defect consists of the presence of a non-functioning button with the words “Passenger Air Bag Off” etched into it and located, along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does *not* deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed. Ferrari is concerned, however, that drivers and customers may be misled by this non-functioning button and LED light into thinking that the passenger-side air bag has been, or can be, deactivated. As a result, infants and small children might be placed in the front passenger seat. ***The placement of infants and small children in the front passenger seat could result in serious injury or death in the event of a crash in which the passenger-side air bag deploys.***

REMEDY: Ferrari will provide, at no charge to the customer, a replacement console which does not contain the words “Passenger Air Bag Off” etched into it. In addition, the software will be updated to disable the passenger air bag indicator light.

RECALL CAMPAIGN NO. 44
Ferrari 612 Scaglietti
“Passenger Air Bag Indicator Light”
RECALL CAMPAIGN OVERVIEW

PARTS: The parts required for this repair are identified by the following part numbers:

Name	Part Number
Console with blue tooth technology	219109
Console without blue tooth technology	219103

LABOR: Replacement of Console

Fill in relevant warranty claims as follows:

- **Component Code:** 940002
- **Operation Code:** 9400029 (1 hr., console replace and software update)
- **Defect Code:** 01
- **Campaign Code:** 24
- **Campaign Number:** 44

Note:

Return the removed console to our warranty department following the normal warranty parts return procedure.

REIMBURSEMENT: Upon receipt of a warranty claim via MODIS CS.

RECALL CAMPAIGN NO. 44
612 Scaglietti
“Passenger Air Bag Indicator Light”
Software Download & Technical Instructions

All 612 Scaglietti with VIN: 136719 (Assembly No. 54384) up to and including VIN: 141726 (Assembly No. 59025) are involved in a **recall campaign** to remove the passenger air bag indicator light console that is located in the overhead control panel. The defect consists of the presence of a non-functioning button with the words “Passenger Air Bag Off” etched into it and located, along with an LED light, on a console adjacent to the sun roof. **This non-functioning button does not deactivate the passenger-side air bag. Nor is the LED light an indication that the passenger-side air bag has been deactivated.** The button is non-functional and cannot be depressed when pushed.

The new consoles do not have the words “Passenger Air Bag Off” etched into it.

NOTE:

- Carefully read this bulletin to determine the repairs that need to be performed.
- Reference the technical documentation in order to properly perform the repair procedure.
- Check via MODIS that the vehicle is included in the recall, and has not previously undergone corrective action.
- Protect areas that could be exposed to damages during repair.

The following repair procedure is composed of:

- A. NIM software download to the SD3 tester
- B. NIM software update
- C. Proxy File update
- D. Console replacement

A. Software Download

1. Make sure that the SD3NET system and the SD3 tester are updated to software version 8.4N or later. If not, please reference bulletin FNA-28N.
2. Follow the path in MODIS
 - a. After-sale
 - b. Technical Service
 - c. SD2 Software Download
 - d. F137_C-612 Scaglietti
 - e. ECU Software

Click on the file name for download.

Catalogue: Update mode:

Latest version:

Code	Date (dd/mm/yyyy)	System	File	Note

Figure 1

3. Download the file **NIMSW_F137.exe**
4. Unzip this file, and it will extract automatically into the folder labelled **NIMSW_F137**. This folder should contain a total of four (3) folders. One folder containing the new NIM software, two folders containing the proxy file for a 612 Scaglietti with and without the phone option (blue tooth technology).
5. Connect the SD3 tester link to PC.
6. Start SD3NET on the PC.
7. Select **PC Diagnosis**.
8. Select **Personal Computer Diagnostics Software Running**.
9. In the software list, select **DOWNLOAD TELECARICAMENTI**, and then click **Execute**.
10. In the new window, select **NIM**, then click **CONFIRM**.

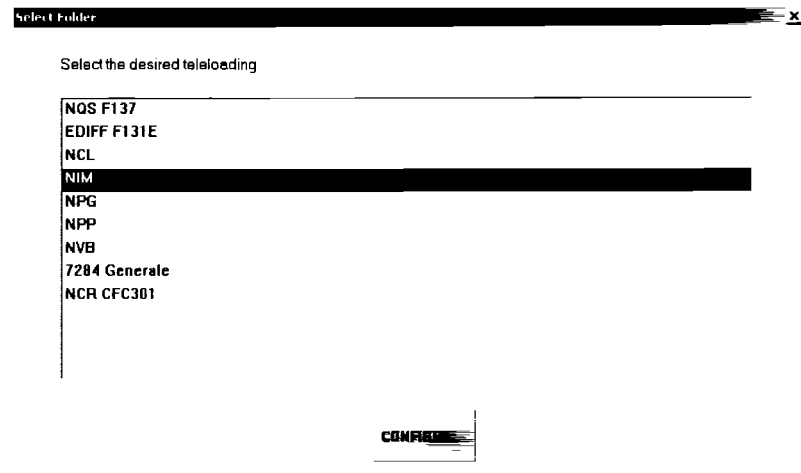


Figure 2

11. The next screen asks you to select the specific software. Go to the folder that contains the NIM software that was previously downloaded (**NIM_software**). When the folder is selected, it should automatically appear in the right window.
12. Double click **NM04_18_F137** in order to have file appear in the bottom window, then click **TRANSFER**. (See Figure 3).

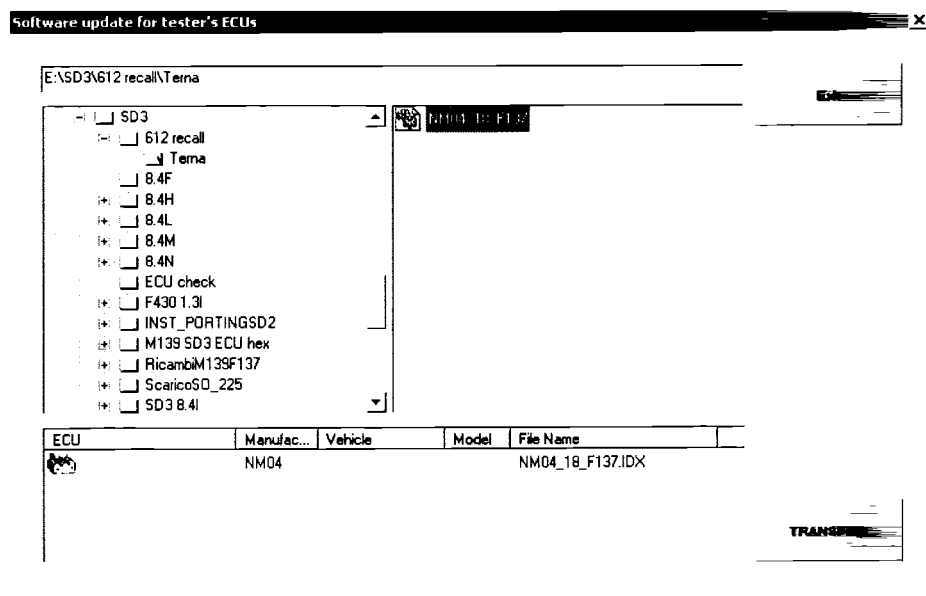


Figure 3

13. The process should take a few seconds. When the "Operation Complete" message appears, select CONTINUE.
14. Select EXIT - Download is complete.

B. Software Update

1. Connect SD3 to vehicle in stand alone mode.
2. Follow the path on the tester:
 - a. SERIAL DIAGNOSIS
 - b. DIAGNOSTIC CYCLE ON INDIVIDUAL ECU
 - c. TOOLS
 - d. TUTTI
 - e. RIPROGRAMMIZIONE 7284
 - f. REPROGRAMMING
3. Select **NIM/** using the arrow keys, and then press **ENTER** on the SD3.
4. Select **NM04_18_F137.IDX** using arrow keys, then press “**TAB**” until **CONTINUE** is highlighted, and then press “**ENTER**”.
5. When the window appears with the message **ECU SELECTED OLDNIM**, press “**ENTER**”.
6. Use arrow keys to highlight **NM04_18_F137.BIN**, and then press “**TAB**” until **CONTINUE** is highlighted, and then press “**ENTER**”.



7. Turn key to ON (if not done already).
8. The SD3 then starts to download with **DOWNLOADING SOFTWARE...** message on the screen accompanied by a progress bar.

NOTE: During the downloading process, the instrument cluster screen may display the messages “Air bag system failure” and “Electrical system failure”. This is

perfectly normal and the messages will disappear when the download procedure is complete. There is no malfunction.

9. The download process takes approximately 3 minutes to complete, and concludes with the message “REPROGRAMMING SUCCESSFULLY COMPLETED”. Press “ENTER”.
10. Turn Key OFF.
11. Press Enter.
12. Press ESC until you reach the main menu.
13. The software download for the NIM is now complete.

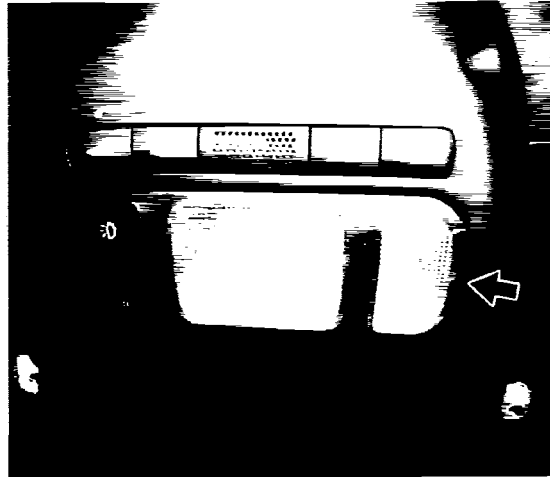
NOTE: If at any time, the programming process is interrupted, it can be repeated. There is a possibility that the tester does not recognize the hardware version and displays the following message: **VERSION NOT COMPATIBLE WITH TELELOADING! WOULD YOU LIKE TO GO ON ANYWAY?** If this happens, continue with the downloading process.

C. Proxy File Update

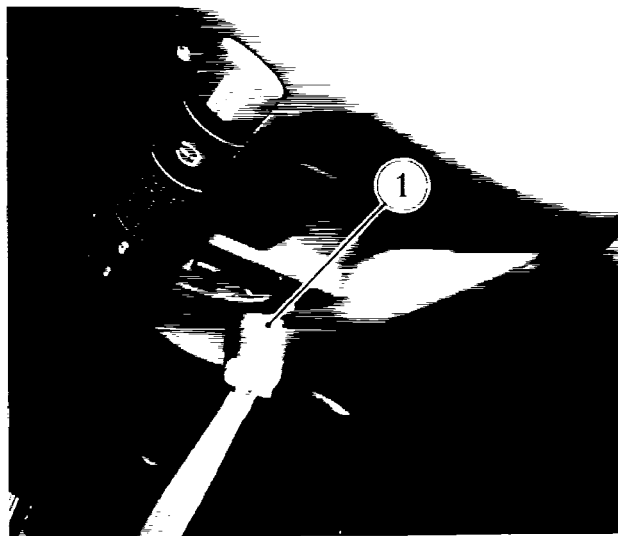
1. Connect the SD3 to the vehicle and turn the ignition ON.
2. Connect the SD3 in link to PC.
3. Start SD3Net on your PC.
4. Select **Personal Computer Diagnostics Software Running.**
5. Select **Ricambi F137.**
6. Select **Execute.**
7. Select **Proxy (F2).**
8. When prompted to enter a Proxy file, select the appropriate **ProxiLocal.mdb** downloaded and unzipped in Section A, Step 4 (with or without the phone option).
9. When prompted enter the last 6 digits of the VIN as the registration number and make sure the ID Body states F137.

D. Console Replacement

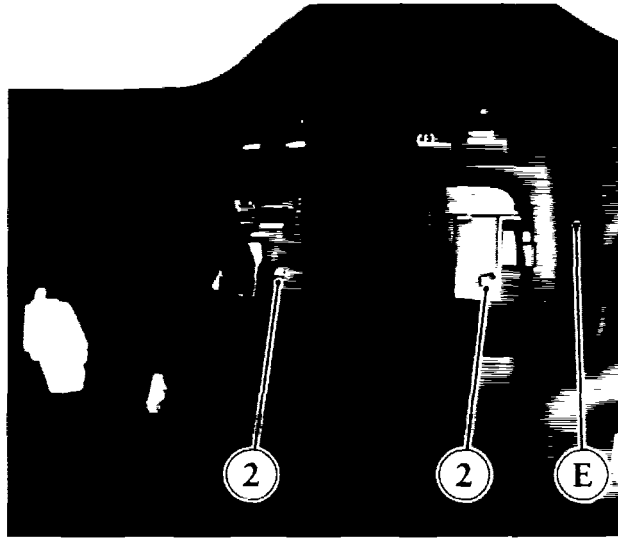
1. Remove console assembly as per the procedure shown on the workshop manual (Reference the section labelled “H2.09 Internal Lights”).
2. For the ceiling light, use a small screwdriver as a lever in the point indicated by the arrow, **taking care not to damage the upholstery.**



3. Detach the connector (1) then remove the ceiling light.



4. In order to remove the ceiling light mount (E) undo the two screws (2).



5. Detach the AQ connector (3) and remove the ceiling light mount.



7. Re-install the new console assembly.

VIN	Assy No.	VIN	Assy No.	VIN	Assy No.	VIN	Assy No.	VIN	Assy No.	VIN	Assy No.
136719	54384	138873	56243	139561	56933	140444	57691	140820	58214	141685	58841
136945	54946	138973	56268	139575	57021	140445	57723	140821	58234	141689	58989
137643	55155	138979	56247	139579	57105	140448	57724	140826	58284	141694	58849
137650	55346	138983	56267	139859	57110	140449	57721	140828	58346	141697	58901
138031	55472	138987	56294	139862	57150	140452	57810	140837	58243	141703	58992
138052	55600	138990	56350	139863	57139	140454	57779	140839	58260	141706	58923
138063	55656	138995	56354	139871	57197	140456	57771	140840	58285	141711	58945
138359	55771	139000	56293	139875	57229	140458	57777	140841	58397	141714	58967
138364	55894	139124	56463	139879	57207	140459	57778	141121	58412	141715	58966
138368	55828	139126	56455	139883	57268	140530	57844	141124	58363	141722	58988
138374	55726	139127	56491	139886	57267	140537	57893	141129	58347	141726	59025
138561	55946	139128	56495	139919	57275	140538	57886	141143	58450		
138562	55890	139130	56504	139966	57346	140539	57891	141277	58498		
138565	55917	139133	56546	139967	57361	140540	57885	141279	58643		
138567	55915	139145	57146	139971	57306	140541	57894	141280	58520		
138573	55937	139147	56656	139972	57385	140542	57912	141283	58532		
138578	55962	139151	56640	139974	57342	140543	57913	141286	58533		
138583	57152	139154	56637	139979	57406	140598	57931	141287	58556		
138585	57303	139157	56975	139981	57809	140601	57935	141294	58581		
138586	56044	139161	56618	139984	57444	140603	57970	141296	58821		
138588	56013	139168	56663	139986	57462	140604	57978	141301	58596		
138826	56011	139497	56732	139992	57479	140617	58367	141304	58644		
138829	55980	139505	56778	139993	57497	140620	57997	141308	58648		
138843	56092	139508	56931	139997	57518	140805	57988	141309	58681		
138846	56016	139512	56802	140176	57547	140806	57995	141400	58733		
138847	56128	139514	56836	140265	57743	140810	58088	141403	58696		
138852	56152	139519	56846	140266	57668	140811	58327	141406	58682		
138865	56184	139520	56882	140434	57717	140815	58160	141410	58719		
138868	56227	139523	57643	140440	57716	140817	58235	141675	59293		
138871	56327	139527	56972	140441	57688	140818	58216	141681	58844		



Ferrari North America

Parts Bulletin

No. 17

Date: October 24, 2005

Subject: Recall Campaign No. 44 Passenger Air Bag Indicator Light

Please be aware that in accordance with Recall Campaign No. 44, Parts Operations will begin shipping the necessary parts on October 25, 2005. Each dealer will receive a shipment of parts equal to approximately 50% of the total allocation of vehicles reported as units in operation in your area. The following parts will be shipped:

<u>Part Number</u>	<u>Description</u>
219103	Updated Console for vehicles not equipped with Bluetooth technology
219109	Updated Console for vehicles equipped with Bluetooth technology

Additional quantities are available to order via ModisCS as required.

For more information, please refer to the Recall Campaign No. 44 instructions booklet or contact Dealer Services.