

AUG 22 2003

Mr. Robert M. Clarke
President
Truck Manufacturers Association
1225 New York Avenue, N.W.
Suite 300
Washington, DC 20005-6156

Dear Mr. Clarke:

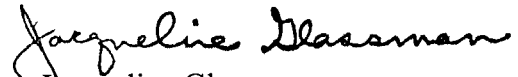
This is in reply to your letter of July 11, 2003, regarding early warning reporting (EWR) requirements for manufacturers of incomplete vehicles, Subpart C of 49 CFR Part 579.

You referenced my letter of April 11, 2003, to Spartan Motors, Inc., in which I advised that manufacturers of incomplete medium-heavy vehicles and buses are subject to the limited reporting requirements of 49 CFR 579.27, rather than the comprehensive reporting requirements of Section 579.22. In my letter, I observed that EWR information is more likely to be received by the manufacturer completing the vehicle rather than by the manufacturer of the incomplete vehicle. However, you believe that "in the case of chassis-cab manufacturers, warranty claims, field reports, consumer complaints, etc. are usually filed with the chassis-cab manufacturers and their dealers, not the final stage manufacturers." Accordingly, you have asked whether your member companies that manufacture "chassis-cab incomplete vehicles" should report under Section 579.22 or Section 579.27.

It is possible that some relevant EWR information with respect to multi-stage vehicles may not be received by the final stage manufacturer. However, for many years, NHTSA has considered incomplete chassis to be items of original equipment. (Nonetheless, incomplete vehicle manufacturers are subject to NHTSA's defect and noncompliance responsibility and reporting regulation, 49 CFR Part 573.) Therefore, under the EWR regulation, "chassis-cab incomplete vehicles" are subject only to the limited reporting requirements of Section 579.27. Please note that the agency may consider this issue as part of its review of the EWR regulation conducted pursuant to 49 U.S.C. 30166(m)(5).

If you have any questions, you may call Taylor Vinson or Andrew DiMarsico of this Office (202-366-5263).

Sincerely,

A handwritten signature in black ink that reads "Jacqueline Glassman". The signature is written in a cursive, flowing style.

Jacqueline Glassman
Chief Counsel