

# Office of Defects Investigation

10039381

RECEIVED  
NYS-215  
2003 SEP 23 P 3 47  
OFFICE OF  
DEFECTS INVESTIGATION

Your Complaint Information is successfully submitted.

Your Confirmation number (ODI Number) is: 10039381

### Your Complaint Information

#### Consumer Information

Name : [REDACTED]  
 Org. Name : [REDACTED]  
 Address : [REDACTED]  
 City, State, Zip : Melbourne, FL [REDACTED]  
 USA  
 Daytime Phone : [REDACTED] Ext : [REDACTED]  
 Evening Phone : [REDACTED] Fax : [REDACTED]  
 Email : [REDACTED]

#### Complaint Information

Description : Our 1995 Freightliner roll-off truck was totally destroyed 6/9/03 in accident due to brake failure. We received a recall notice from Freightliner for defective brakes on 7/7/03, one month AFTER the accident. Freightliner refuses to accept responsibility for the damages to our vehicle because "they did what was required of them. They sent out the notices. It was our responsibility to get the necessary repairs done". How were we to know there was a problem? The accident occurred before we were notified of the defect! It is unconscionable that Freightliner will not stand behind the vehicles they sell. There are likely many other Freightliner trucks out there on the highway that are operating with the same defective brakes. Miraculously, no one was injured or killed in our accident. The next Freightliner owner may not be so lucky.

Incident Date : 6/9/2003 Fire : No  
 Num. Fatalities : 0 Crash : Yes  
 Num. Failures : 1 Property Damage : Yes  
 Num. Injured : 0 Police Report : Yes  
 Referral Source : STATE ATTORNEY GENL.

#### Vehicle Information

VIN : 1FV68HBA7SL601287 Purchase Date : 11/26/2001

2003 OCT -1 AM 9:29

**Year, Make and Model :** 1995/FREIGHTLINER/FL-106      **Original Owner :** No  
**# of Cylinders :**      **Trans. Type :** AUTOMATIC  
**Engine Size :** 275 HP      **VehicleDetails Usage :** HEAVY TRUCK  
**Cruise Control :** No      **Antilock Brakes :** No  
**Current Mileage :** 149695      **Speed :** 40  
**Failure Mileage :** 149695      **Powertrain :**  
**Body Style :** OTHER      **Fuel System :**  
**Fuel Type :** DIESEL

Vehicle Component Information

**Component 1:** SERVICE BRAKES, AIR:CONTROLS:FOOT CONTROL      **OEM:** No

Vehicle Dealer Information

**Dealer :** 1      **Dealer Type :** SALES DEALER  
**Name :**      **Address :**

**Dealer Phone:**      **Dealer Fax:**  
**Email:**

- 1.  LAW ENFORCEMENT SHORT FORM REPORT
- 2.  DRIVER REPORT OF TRAFFIC CRASH
- 3.  DRIVER EXCHANGE OF INFORMATION

DO NOT WRITE IN THIS SPACE

DATE OF CRASH 06/09/2003	TIME OF CRASH 10:30	REPORTING OFFICER 2:21	REPORTING OFFICER 2:32	REPORTING OFFICER 03-28-09675-19	REPORTING OFFICER 70603078
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18 / 32	COCOA	<input checked="" type="checkbox"/> BREVARD
2	2	SR 524

ADAMSON ROAD	FL 03	1FV88HBA7SL001287
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95 FRHT	ROLL OFF TRUCK N8959A	\$28,000	KENDALL TOWING	02
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AXA-RE PROPERTY AND CASUALTY	SW0001213-01
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MELBOURNE FL	COCOA BEACH FL
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FL	B	W M
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VEHICLE IDENTIFICATION NUMBER	VEHICLE IDENTIFICATION NUMBER
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REPORTING OFFICER'S NAME AND TITLE  
SERGEANT R. S. TIPTON

FLORIDA HIGHWAY PATROL

DATE OF REPORT  
06/09/2003

SECTION OF THE STATE

DIAGRAM

INDICATE NORTH WITH ARROW

V1 WAS SOUTH-BOUND ON ADAMSON ROAD APPROACHING THE INTERSECTION OF SR 524. D1 STATED THAT THE BRAKES ON V1 FAILED. D1 WAS UNABLE TO STOP FOR A POSTED STOP SIGN. D1 STATED THAT HE ATTEMPTED TO TURN LEFT IN AN ATTEMPT TO SAVE V1 FROM ROLLING OVER. D1 FAILED. V1 LEFT THE ROADWAY TO THE SOUTH. V1 OVERTURNED ON ITS RIGHT SIDE. WHEN I ARRIVED, V1 WAS BEING LOADED ONTO A TOW TRUCK.

VEHICLE IDENTIFICATION	VEHICLE TYPE	VEHICLE COLOR	VEHICLE MAKE	VEHICLE MODEL	VEHICLE LICENSE	VEHICLE REGISTRATION	VEHICLE INSURANCE	VEHICLE OWNER
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**FREIGHTLINER**  
LLC

A DaimlerChrysler Company

Customer Support Division  
Warranty Campaigns Department

Freightliner LLC  
P.O. Box 4090  
Portland, OR 97208-4090  
800.547.0712 Phone  
503.745.7415 Fax

June 2003  
FL276D-F  
NHTSA 00V-357  
REMINDER NOTICE

### Subject: Business Class Brake Pedal Piston Rods

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

Freightliner LLC, on behalf of its Freightliner Trucks Division has determined that a defect exists on all Freightliner FLN Business Class vehicles manufactured between May 1, 1991, and November 10, 2000, equipped with air brakes.

The brake piston rod that activates the service brakes may bend and fracture, causing a loss of brakes and possible vehicle crash without prior warning.

The modification consists of replacing the brake pedal piston rod, clevis, and plunger with a new design.

**Our records indicate that your vehicle(s) has not yet had this recall performed. Please make arrangements to have this repair done as soon as possible. If it has been completed, please disregard this letter.**

Repair kits are now available for authorized dealers to order. You should contact your authorized dealer to arrange to have your vehicle(s) modified and to assure that parts are available at the dealer.

When you contact your dealer, refer to campaign number FL276D-F. Once kit(s) are received at the dealership, the modification will take approximately 0.6 hour and will be performed at no charge to you.

**IMPORTANT:** When the modification has been completed, please ensure that a sticker has been affixed to your vehicle referencing FL276D-F and the date the work was performed.

If you do not own the vehicle that corresponds to the identification number(s) which appears on the Recall Notification, please return the notification to the Warranty Campaigns Department with any information you can furnish that will assist us in locating the present owner. If you have leased this vehicle, please make sure this notification is immediately forwarded to the lessee.

If you are unable to have the defect remedied without charge and within a reasonable time after you tender the vehicle for repair, please contact the Warranty Campaigns Department at (800) 547-0712, 7:30 a.m. to 4:30 p.m. Pacific Time Monday through Friday, or the Customer Assistance Center at (800) FTL-HELP, after normal business hours. You may also wish to notify the Administrator, National Highway Traffic Safety Administration, 400 7th Street S.W., Washington, D.C. 20590, or phone (888) 327-4235. If your vehicle is involved in the Canadian portion, you may notify the Manager, Recall and Public Compliance, Road and Motor Vehicle Traffic Safety Branch, Transport Canada, Ottawa, Ontario, or phone (613) 993-9851.

We regret any inconvenience this action may cause, but feel certain you understand our interest in motor vehicle safety.

WARRANTY CAMPAIGNS DEPARTMENT

Enclosure

003025 04/01/03

Freightliner LLC is a member  
of the DaimlerChrysler Group 2

