



SEP 17 2009

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

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received	Repository <input type="checkbox"/>
13-AUG-2009	Reference No. 10280374

OWNER INFORMATION (Type or Print)

Name: [REDACTED]

Address: [REDACTED]

City: AGOURA HILLS State: CA Zip Code: [REDACTED]

Daytime Telephone Number: [REDACTED] E-mail Address: [REDACTED]

Evening Telephone Number: [REDACTED]

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side 4UZAMFAC1VC [REDACTED]	Make NEWMAR	Model DUTCH STAR	Model Year 1997
Date Purchased	Dealer's Name and Telephone Number	Engine: No: Cylinders	Fuel Type:
Original Owner <input type="checkbox"/>	Dealer's City	State	Zip Code
Transmission Type <input type="checkbox"/> Antilock Brakes <input type="checkbox"/> Cruise Control	Powertrain	Multiple Failure:	Incident Date(s) 04-AUG-2009

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 040000 SERVICE BRAKES, AIR, 030000 SERVICE BRAKES, HYDRAULIC	Failure Mileage 57000	Failure Speed 20
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ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)
DOT No. (Example: DOTM19ABC036)	<input type="checkbox"/> Original Equipment <input type="checkbox"/> Prior Repair	Failure Location:
Tire Component Code	Tire Failure Type:	

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fire <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number of Persons Injured 0	Number of Deaths 0	Reported to Police N
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Narrative Description of Incident(S), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e, parts repaired or replaced (and if old part is available).

TL*THE CONTACT OWNS A 1997 NEWMAR DUTCH STAR RV. WHILE DRIVING APPROXIMATELY 20 MPH ON A STEEP MOUNTAIN, THERE WAS NO RESPONSE WHEN THE BRAKE PEDAL WAS DEPRESSED. THE TRANSMISSION FAILED TO LOCK INTO GEAR WHILE DRIVING DOWNHILL. AFTER THE BRAKE PEDAL WAS DEPRESSED MULTIPLE TIMES, THE VEHICLE SLOWED DOWN. THE BRAKES WERE FUNCTIONAL UNTIL HE REACHED HIS DESTINATION. THE VEHICLE WAS TAKEN TO AN AUTHORIZED DEALER FOR INSPECTION AND THEY STATED THAT THE BRAKE SYSTEM WAS BURNING. THE TECHNICIAN REPLACED THE REAR BRAKE SYSTEM AND THE MANUFACTURER WAS NOTIFIED. THE FAILURE AND CURRENT MILEAGES WERE 57,000.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

September 4, 2009

Additional Comments to complaint, Reference No. 10280374

On August 4, 2009 I drove my 1997 Dutchstar RV (Mfg by Newmar) on a highway in Southern California from Pine Mtn in Frazier Park to Interstate 5. This is a curvy one lane in each direction mountain road with steep downhill grades extending for several miles. I attempted to keep a safe downhill speed to a minimum by downshifting to the lowest gear (D1). I realized that downshifting to lower gears for braking was ineffective. The vehicle repeatedly gained downhill speed and momentum and the transmission, *even though in lowest gear, gained RPM and upshifted on its own to the next higher gear (D2).* This necessitated too frequent braking which proved to be excessive for the capacity of the brakes. This resulted in overheated brakes which caught fire (see receipt for brake repair from Freightliner) and led to an almost complete loss of brakes.

This stretch of highway had no turnouts, only boulders on one side of the road and steep drop-offs on the other side. I managed to maneuver the near brakeless RV through downhill curves until the next possibility to exit the highway and roll to a stop. After a one hour wait and allowing the brakes to cool off, pumping the brake pedal afforded enough brakes to "limp" home on an interstate with little or no downhill grades.

I contacted the manufacturer, Newmar, and had their technical consultant document the above in the file for my RV, VIN 4UZAM [REDACTED]. I was informed that the factory installed transmission in my vehicle, Allison Series AT 542, due to its shortcomings, is no longer used for such application. They were aware of the problem and there was no remedy. Besides Newmar, Allison, Freightliner, US Gear, Pac Brake and Jacobs(Jake) Brake I contacted over 10 independent facilities (list can be provided upon request) specializing in trucks and/or heavy duty transmissions and not one was able to offer a solution.

Since this problem could lead to a severe crash with fatalities and injuries, I felt that it was not proper or ethical to sell or trade this vehicle to an unsuspecting buyer. Declaring the issue at hand would make a sale impossible. After many days of research I located an independent Allison transmission facility, where a transmission (MT 643 Allison) which stayed in gear for downhill braking was installed.

A life threatening situation was encountered, and a future defect related crisis was prevented. All of the above people that I have contacted were aware of the inappropriate and deficient nature for such application of the originally installed transmission in my RV.

My total expenses to correct what should have been a factory recall were \$10,514.74 (see copies of receipts). I feel that it is gross negligence to put the public at such risk and expense when an obvious and widely known problem exists. Any assistance from you to recoup financial damages would be very much appreciated.

Thank you,



P.A.R.T.s

INVOICE NO.

5417

PERFORMANCE ALLISON REPLACEMENT TRANSMISSION'S

SHOP ADDRESS: 120 S. Irwindale Avenue • Azusa, California 91702

Telephone: (626) 393-6003 • Fax: (626) 334-6003

ACCT # _____ SHIP TO: _____
 SOLD TO: [REDACTED]

Acura (a)

CUSTOMER ORDER NO. _____ PHONE NUMBER _____ DATE 9-4-09

SOLD BY _____ CASH _____ C.O.D. _____ CHARGE — CREDIT MEMO _____ MOSE RETD _____ PAID OUT _____ RESALE Tax

VEHICLE NO. Motorhome DRIVER _____

ORDERED	SHIPPED	DESCRIPTION	CORES		PRICE	AMOUNT
			IN	OUT		
		TRANSMISSION MODEL NO. <u>MT 643 (5 Year Warranty)</u>				<u>2495 -</u>
		TRANSMISSION PART NO. <u>E001202 (unlimited mileage)</u>				
		TRANSMISSION SERIAL NO. <u>2430593969</u>				
		1 Engine Bell housing				<u>1000 -</u>
		1 1290 Transmission oil cooler				<u>250 -</u>
		1 Parking Break Assembly				<u>400 -</u>
		<u>20 QTS ATF</u>		<u>2</u>	<u>75</u>	<u>55 -</u>
		1 Driveline Assembly (1610 u-joint, 1610 tube yoke, and 1610 Flange)				<u>900 -</u>
		1 Hose and Fitting kits (for fans to new cooler)				<u>400 -</u>
		1 Cal motor oil		<u>6</u>	<u>6</u>	<u>6 -</u>
		1 Crank shaft adapter				<u>100 -</u>
		1 converter adapter 3918160 Flex plates				<u>278 84</u>
		1 93045239 Ring Gear				<u>150 32</u>
		1 *replaced cracked starter gear and solenoid				<u>175 -</u>
		1 Material for Bellhousing mount + 9.75% tax				<u>50 -</u>
		Labor - R + R trans from AT to MT, Installed oil cooler, Parking Break Asm., Hose kits, crank shaft adapter, Flex plates, Installed clamp on trans and Driveline, test Drive / inspect				<u>1500 -</u>

RECEIVED ON ACCOUNT \$ _____ TOTAL PAYMENT \$ _____ CHECK NO. _____ REC'D BY _____

TERMS ARE NET 10th. DELINQUENT ACCOUNTS ARE SUBJECT TO A SERVICE CHARGE OF 1 1/2% PER MONTH, PURSUANT TO CALIFORNIA CODE. IF IT BECOMES NECESSARY TO FILE SUIT FOR THE COLLECTION OF ANY ACCOUNT, COSTS, INCLUDING REASONABLE ATTORNEY'S FEES SHALL BE PAID BY THE BUYER. SIGNATURE ON THIS DOCUMENT INDICATES CUSTOMER AGREES TO ALL TERMS AS STIPULATED.

INVOICE NO. 5417
 RECEIVED BY [REDACTED]

INVOICE TOTAL	8503 75
CREDIT TOTAL	



Big T's of Ventura County, Inc.

Freightliner Sterling Western Star

(805) 983-2408 (800) 564-2448 Fax (805) 983-7570

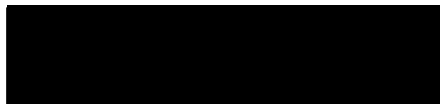


INVOICE DATE	
08/07/2009 02:58PM	
INVOICE NO.	PAGE
292190084	1
CUSTOMER NO.	BRANCH
00001	

HEAVY DUTY PARTS & SERVICE ENGINE MACHINE SHOP 2501 Camino del Sol Street • Oxnard, California 93030

SOLD TO MISC CASH ACCOUNT

SHIP TO



CA

AGOURA CA

CA DL # M0390555 X 5/23/10

156162

CUSTOMER P.O.	R/S ORDER NO.	DM	200/000
053850	Auth # 055748		
		PRICE/PER	EXTENSION

*** CASH SALE ***

COMPLETION DATE: 08/07/2009

UNIT: 892538 YEAR: 1997 MAKE/MODEL: FREIGHTLINER

SERIAL: 4UZAMFAC1VC MILEAGE: 58,468

NO RETURNS OF ELECTRICAL PARTS ARE ALLOWED.

JOB#01 13 000 00 CHECK BRAKES

CUSTOMER STATES WHEN ON TRIP HE THINKS HE BOILED THE BRAKE FLUID & REQUESTS A BRAKE FLUSH-CUSTOMER WOULD ALSO LIKE US TO REPLACE THE FLUID WITH A HIGHER TEMP BRAKE FLUID IF POSSIBLE??

25319 STAGED UNIT IN SHOP & CHECKED BRAKE FLUID. JACKED UNIT UP & PUT ON STANDS. REMOVED WHEEL COVERS & ALL WHEELS. DURING INSPECTION-FOUND THAT THE LEFT REAR WAS ON FIRE AT ONE TIME. A NEW CALIPER, ROTOR, BRAKES & WHEEL SEAL ARE NEEDED. REMOVED BEARINGS, HUBS & CALIPERS ON ALL AXLES. REMOVED OLD ROTORS, REPLACED WITH NEW ONES. REMOVED OLD PADS AND REPLACED WITH NEW PADS. REPLACED THE LEFT REAR CALIPER AS IT CAUGHT ON FIRE ALSO. BLEED THE SYSTEM OF AIR. (THE OLD BRAKE FLUID WAS FLUSHED OUT & REPLACED WITH NEW FLUID). REPLACED 4 NEW WHEEL SEALS ALONG WITH ALL 4 ROTORS.

1015 ROAD TEST AROUND BLOCK. BRAKES WORK GOOD. NO PULL AT THIS TIME. UNIT STOPS GOOD UNDER HARD BRAKING.

2 FA TDA 23122700002	ROTOR/BAL	91.86EA	163.72
2 FA BW MK224PREM	BRAKE PAD DISC	86.87EA	173.74
2 FA CHR 28832	OIL SEAL	25.41EA	50.82
1 FA CHR 34387	OIL SEAL	27.21EA	27.21
2 FA TDA 2208J426	GASKET	3.52EA	7.04
2 FA SIM 330 3040	HUB CAP GASKET	1.93EA	3.86
2 AFA GUN D6054A	14.76X1.34 ROTOR	128.57EA*	257.14
	(REF: 157199.00)		
1 ZZZ E111176X	CALIPER	121.42EA*	121.42
	(REF: 157199.00)		
1 FA CHR 34387	OIL SEAL	27.21EA*	27.21
	(REF: 157199.00)		
1 AP FH-12	12 OZ. BRAKE FLUID	1.65EA	1.65
2 AP 5084	CRU NO CLORINATED	3.64EA	7.28

PARTS SUBTOTAL 841.09

LABOR SUBTOTAL 1020.80

FREIGHT SUBTOTAL TAX STATE SALES TAX PLEASE PAY

CONTINUED *

I have read and understand the terms and conditions as set forth on the reverse of this invoice and my signature constitutes a personal guarantee for payment by any authorized agents, owners and/or officers of the above invoiced business. Terms are Net 30 Days unless otherwise specified. Collector and court costs and attorney fees will be charged if necessary to collect this invoice.

CUSTOMER SIGNATURE



Big T's of Ventura County, Inc.

Freightliner Sterling Western Star

(805) 983-2408 (800) 564-2448 Fax (805) 983-7570



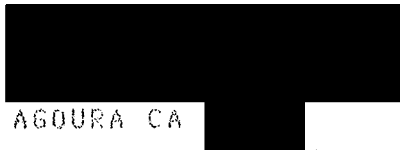
INVOICE DATE	08/07/2009 02:58PM
INVOICE NO.	292190084
CUSTOMER NO.	00001
PAGE	2
BRANCH	

HEAVY DUTY PARTS & SERVICE ENGINE MACHINE SHOP

2501 Camino del Sol Street • Oxnard, California 93030

SOLD TO MISC CASH ACCOUNT

SHIP TO



CA

AGOURA CA

156163

CUSTOMER P.O.	R/S ORDER NO.	PRICE/PER	EXTENSION
053850		DM	200/000

SHOP SUPPLIES 51.04
 ** JOB SUBTOTAL 1912.93

JOB#02 13 000 00 CHECK BRAKES
 CUSTOMER REQUESTS ALL BRAKES INSPECTED

SEE JOB #1.

PARTS SUBTOTAL 0.00
 LABOR SUBTOTAL 0.00
 ** JOB SUBTOTAL 0.00

JOB#03 71 000 00 CHECK CRUISE CONTROL SYSTEM OPERATION.
 CHECK CRUISE CONTROL SYSTEM OPERATION.

CUSTOMER STATES AFTER DRIVING FOR AN HOUR, THE CRUISE CONTROL SHUTS ITSELF OFF, AND HE CANNOT RE-SET THE CRUISE CONTROL UNTIL AFTER IT SITS FOR A HALF HOUR TO AN HOUR, AND THEN THE CRUISE WILL ONLY RUN FOR A SHORTER PERIOD OF TIME

CHECK AND ADVISE (ONE HOUR ONLY!!!)

25319 INSPECTED & FOUND THE WHOLE CONTROL UNIT IS BREAKING DOWN. IT NEEDS COMPLETE REPLACEMENT. CUSTOMER ADVISED.

NOTE: CUSTOMER WANTED TO KNOW WHAT SIZE THE EXHAUST IS- IT IS 3" AND ALSO IT DOES NOT HAVE AN ONBOARD AIR SYSTEM FOR THE BRAKES.

PARTS SUBTOTAL 0.00
 LABOR SUBTOTAL 19.80
 ** JOB SUBTOTAL 19.80

TOTAL PARTS: 0.00
 TOTAL LABOR: 1040.60
 TOTAL SHOP SUPPLIES: 51.04

"THANK YOU FOR YOUR BUSINESS"

PLEASE PRINT

CASH SALE PAID WITH CREDIT CARD XXXXXXXXXXXXX

TOTAL	1932.73	TAX	8.75%	TOTAL	1941.48	TOTAL	2010.79
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CASH SALE

CUSTOMER SIGNATURE