

SEP 18 2012

[REDACTED]
Edmonds, WA [REDACTED]

July 16, 2012

National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, D.C. 20594

Re: Report of Spontaneous Catastrophic Tire Failure
Dunlop "Sport Max Winter," 205 50R 17, DM 7P 2J KR 2504

Dear NTSB:

I am writing to report a sudden catastrophic failure of a Dunlop tire. I attempted to report this to Dunlop by contacting a Discount Tire dealership for warranty service, and by telephone to Dunlop's customer service line. Dunlop refused to acknowledge responsibility for the failure in both venues, and appears unconcerned about the implications of the failure. Dunlop demonstrated no interest for inspecting the tire, investigating the reason for the failure, or assessing the need to warn other users of the tire of other potential tire failures. Consequently, I am reporting the failure to you. I will also forward copies of this correspondence to my United States Senators and Representative for their consideration of potential legislation making tire manufacturers more accountable for their products, the failure of which could result in serious personal injury, damage to property, or both.

The tire is Dunlop's model "Sport Max Winter," size 205 50R 17, serial number DM 7P 2J KR 2504.

The tire failure occurred in May of this year, while mounted on the left rear axel of my daughter's 2003 BMW 330xi. The entire sidewall of the tire failed, creating a void around the outside circumference of the tire, about midway between the bead and tread lines. I am only a layperson, but it appears to me that the sidewall plies simply gave way, and without that internal structural integrity, the tire suddenly lost air. Luckily, when this failure occurred my daughter was traveling at a slow speed on Seattle surface streets. She did not lose control, and the sudden collapse of the Dunlop tire in this situation did not cause any personal injury or property damage. Had she been traveling on the freeway at freeway speeds, the consequences could have been far more serious.

Following the failure, I brought the tire, still mounted to the BMW factory wheel, to my local Discount Tire store for inspection and warranty service by Dunlop. Discount tire technicians observed no road trauma or other external reason for the sudden failure.

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They concluded, as I do, that the failure was due to a manufacturing defect on Dunlop's part.

Discount Tire measured the tire wear at 9/32nds, and advised that Dunlop product literature indicates that tread wear is 11/32nds when new. In terms of use, the tires were virtually new when the failure occurred. Dunlop's reasons for not further investigating the failure, and for not accepting responsibility for replacement of the tire, were apparently because I was not the original purchaser, and the tires had been purchased by the original owner more than six years previously.

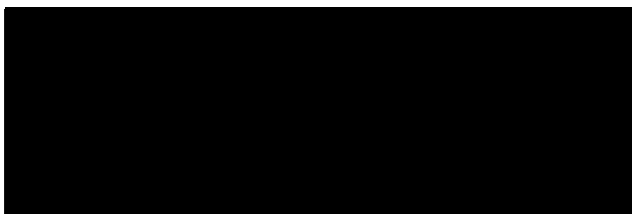
I have kept the defective tire, as well as the other three of the set. Inspection will show that the tires show no signs of rubber deterioration or other environmental reason for the sudden failure. As there was no environmental factor for the sudden failure, there is no reason to allow a tire company to use calendar age of a tire to evade responsibility for a manufacturing defect such as the one that occurred here. This is especially true in the case of a winter tire such as the one involved here, which is intended only for winter use. When sold in the Pacific Northwest, that winter use amounts to a mere three or four months of the year. Used in that way, as marketed by the manufacturer, it would not be uncommon for a winter tire to last ten or more years. The manufacturer should be accountable for manufacturing or material defect failures of that tire during the entire effective life. Responsibility should exist until the usable tread is exhausted, or until the tire demonstrates expiration due to environmental conditions. Neither of these circumstances existed in the case of this failure, and it was wrong of Dunlop to fail to investigate this failure.

Furthermore, there is no reason to allow a tire manufacturer to evade responsibility for a tire failure because the user was not the original purchaser. Automobile manufacturers are accountable to downstream users (not just purchasers) for product failure, and tire manufacturers should be as well. This is especially true where, as here, the tire manufacturer advertises a tread life of scores of thousands of miles and markets a tire for only seasonal use.

While Dunlop can as a matter of corporate policy attempt to set a limit on its voluntary responsibility for its products, that unilateral act does not limit its legal responsibility; or certainly its moral responsibility. If Dunlop does not recognize these responsibilities independently, it should be required to do so by industry regulation and, if necessary, remedial legislation. Absent that motivation, Dunlop's policy will allow it to be accountable only when their product failures lead to serious injuries or death, and they are sued in tort for those damages. Dunlop should not be allowed to permit such events before answering for its product defects.

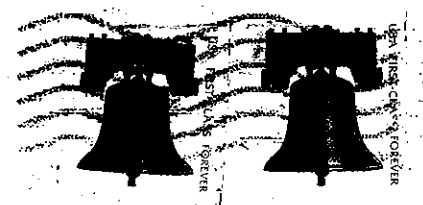
I have enclosed photographs of the failed tire, as well as the others of the set, for your information. I will retain these tires for the indefinite future, and can make them available for inspection if you wish.

Please let me know if you have any questions.



[Redacted]
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