

JAN 11, 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Susan M. Cischke, Vice President
Vehicle Certification, Compliance, and Safety Affairs
DaimlerChrysler
800 Chrysler Drive
Auburn Hills, MI 48326-2757

NSA-11tn
RQ98-023

Dear Ms. Cischke:

the Office of Defects Investigation (ODI) is conducting a review of safety recall 98V-005 conducted by DaimlerChrysler involving approximately 225,00 1993 Grand Cherokee, 1990-1991 Cherokee, Wrangler, and Comanche, and 1989-1991 Eagle Premier and Dodge Monaco. The front disc brake rotors of these vehicles may experience severe corrosion if operated for an extensive period in the "salt belt" states. The "salt belt" states are Connecticut, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, or Wisconsin, and the District of Columbia. Chrysler's identification for this recall is 747. This investigation is to address whether other Chrysler vehicles similarly equipped with front disc brake rotors may also warrant corrective action.

ODI has received 22 complaints from owners of model year 1992 through 1995 Jeep Cherokee vehicles and seven complaints of model year 1994 through 1995 Grand Cherokee vehicles alleging that one or both of the front brake rotor disc had cracked or separated from its hub, causing the vehicles to severely pull to one side and/or significantly extended its stopping distance. A copy of each report is enclosed for your information.

The following definitions and instructions apply to this request for information:

- **Chrysler:** DaimlerChrysler, the Chrysler Corporation, all of its officers and employees, whether assigned to its principle offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone, and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Chrysler (including all business units and persons previously referred to) who are or, in or after 1992 were involved

in any way with (a) design, engineering, analysis, modification, or production related to in Chrysler vehicles; (b) testing, assessment, evaluation, consideration, or recognition of potential or actual defects, record-keeping, claims, or lawsuits relating to gasoline fuel injection supply system in Chrysler vehicles; (c) communications to zone representatives, fleets, dealers, or others in field locations; or (d) management of information related to actual or potential defects, including complaints, field reports, crash/incident reports, claims, lawsuits, warranties, good will, or other adjustments.

- **Safety recall 98V-005:** the safety recall filed by Chrysler in the Defect Information Report dated January 5, 1998, involving approximately 225,000 1993 Grand Cherokee, 1990-1991 Cherokee, Wrangler, and Comanche vehicles, and 1989-1991 Eagle Premier and Dodge Monaco (Chrysler recall 747).
- **Safety defect:** the failure, malfunction, or other unsatisfactory performance of the front disc brake rotor, including the separation of the rotor from the hub caused by the material corrosion, resulting in increasing stopping distance, pull to one side when stopping, or loss of braking power.
- **Subject vehicles:** all 1994 through 1995 Grand Cherokee, 1992 through 1995 Jeep Cherokee, and 1992 through 1995 Wrangler.

INSTRUCTIONS

In order for my staff to evaluate the performance of the safety recall, certain information is required. Please provide numbered responses to the following requests, repeating the request verbatim above each response. Chrysler is required to respond to each request separately. Some requests require written responses, some require the production of documents, and some require both. Where documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the information request (including the subpart). Where documents are produced and the documents would not, standing alone, be self-explanatory, (e.g., data that do not identify what is being tested or reference a test methodology) the production of the document(s) shall be supplemented and accompanied by an explanation, with reference(s) to the document(s), so that the document(s) speak for themselves.

The submitted information is to include, but not be limited to, all written reports or documents; transcriptions, notes, or other documentation of oral communications; and information contained in electronic or other storage media. The term documents is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter of every kind, nature, and description. Furnish all requested items, whether or not Chrysler has verified each one, including all papers, letters, correspondence, memoranda, communications, electronic mail messages (existing in hard copy or in electronic storage), faxes, telegrams, telex messages, photographs, film, notes, working papers, memoranda, and other records pertaining or relating to each item, whether in draft or finalized. Also, any document, record, film, or photograph

originally in color must be reproduced in color. In all cases where documents are in a language other than English, Chrysler must submit a copy of each non-English document and an English translation of the document.

If Chrysler believes that the documents responding to any request have already been provided to ODI previously, briefly identify the documents, identify the ODI investigation the information was submitted, and the date the documents were submitted. Such documents do not need to be resubmitted.

If Chrysler cannot respond precisely to any specific item, please provide Chrysler's best estimate and indicate that the response is the best estimate and why a precise response cannot be given. If Chrysler cannot respond to any specific item, please state the reason why it is unable to do so.

If Chrysler claims that any information or material responsive to the following items need not be divulged to the National Highway Traffic Safety Administration (NHTSA) because it is privileged or the work product of an attorney, state the nature of that information or material and identify each document in which it is found by date, subject, name, address, and position of the author and name, address, and position of recipient(s), including persons to whom it was addressed and all the recipients. Chrysler must also describe any such privilege that Chrysler claims, and explain why Chrysler believes it applies.

Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following questions.

1. Provide Chrysler's basis for not including the subject vehicles in safety recall 98V-005.
2. Furnish the populations of the subject vehicles by model year and registered states.
3. Furnish the engineering drawing, material, and protective coating specifications, or equivalent, of the front disc brake rotor.
4. Provide the differences including, but not be limited to, material and protective coating between the subject vehicles and the vehicles included in safety recall 98V-005.
5. Furnish copies of all studies, tests, surveys, reports, and investigations, from all sources, in Chrysler's possession or control, or of which it is otherwise aware, pertaining to front disc brake rotor failure due to corrosion in all Chrysler vehicles. Do not limit this response to the subject vehicles, but identify the complete scope of Chrysler vehicles. Include copies of any failure mode analyses, vehicle inspections, warranty analyses, and other types of evaluations Chrysler has performed to assess the safety defect in any of these vehicle platforms.

6. Furnish the number and copies of all the following:

- a. owner, consumer, or fleet reports or complaints; and
- b. field reports, other reports and similar documents, from all sources either received or authorized by Chrysler, or of which Chrysler is otherwise aware;

pertaining to the safety defect in the subject vehicles. This would include, but not be limited to, complaints or information provided by various fleets, consumer groups, government agencies, insurance companies, and other entities which would have provided such information to Chrysler.

7. Furnish the number and copies of each of the following:

- a. all crashes or injury incidents;
- b. all subrogation claims;
- c. third-party arbitration proceedings (where Chrysler is a party to the arbitration); and
- c. all lawsuits, both pending and closed, in which Chrysler is or was a defendant (or codefendant), or of which Chrysler is otherwise aware.

These would include, but not necessarily be limited to, all those which may have occurred, at least in part, due to circumstances, conditions, or problems caused by the safety defect in the subject vehicles. Provide a brief synopsis of each case including Chrysler's analysis of the alleged incident, a description of any injuries or property damage involved, the identification of the vehicle (model, model year, and VIN), and the vehicle owner (name and address). Furnish a copy of all police reports, accident/fire reports, documents by or for insurance companies and their agents and contractors, and all other documents related to a crash or injury incident. Identify all parties involved in each lawsuit and arbitration proceeding, including the caption, court, docket number, filing date, nature of the claim(s) as related to the alleged defect and the final disposition, if any. Furnish representative copies of pleadings and/or legal briefs filed on behalf of Chrysler in the lawsuits. If expert testimony, depositions, or reports were provided (or retained) in a lawsuit or arbitration proceeding, furnish a copy of each, and identify each expert by name, corporate address, telephone number, and on which party's behalf the testimony was provided.

8. Furnish a summary incident table of all known or reported incidents from items 6 and 7 pertaining to the safety defect in the subject vehicles, identifying the owner's name, model, model year, and VIN of the vehicle, the vehicle build date, the date of the incident (the date of the report if the incident date is unknown), mileage at the time of the incident, the state or territory of the U.S. in which the vehicle was registered at the time of the incident, the state or territory the incident occurred if different from the registered state, the nature of the defect causing the incident, a brief description of any injuries associated with the incident, and Chrysler's assessment/comment. The table should be arranged in ascending order

chronologically, according to the vehicle build date. Where a fleet vehicle is involved, further state the name of the fleet, and the name and telephone number of a contact person at that fleet. If Chrysler has developed or is developing a similar table which contains additional information, please include that additional information in Chrysler's response. Also, if there are more than 50 records, provide a copy of the table in a spread sheet electronic form, ASCII fixed length format or equivalent.

9. State the total number of (a) warranty claims, including extended warranty claims, and (b) requests for "good will," field, zone, or similar adjustments received by Chrysler that relate, or could relate to the alleged defect on the subject vehicles by model year, calendar month and year, registered state, and problem claim code. Each problem claim code must be identified.
10. State the total number of brake rotors sold for use on the subject vehicles by part number, vehicle application model year, state/territory, and calendar month/year of sales. If the brake rotors were sold as part of a kit, then provide the information for each applicable kit and include a listing of the contents of the kit.
11. Furnish a copy of each service, warranty, or technical document(s) Chrysler has prepared, including (but not limited to), bulletins, advisories, informational documents, training documents, or other communications, that were sent to any dealers, regional or zone offices, or field offices, or were sent to any such entities or offices, or has produced or distributed any parts replacement kits with instructions or parts list(s) for the following:
 - a. relating to the alleged defect in the subject vehicles;
 - b. relating to a similar potential defect in other vehicles with the same or substantially the same components as in the subject vehicles;
 - c. relating to the problem(s) addressed in safety recall 98V-005; or
 - d. at least in part, to the installation, attachment, replacement, or performance of the front disc brake rotor assembly in the subject vehicles.
12. Furnish a copy of all documents not specifically requested which Chrysler believes may be pertinent to the alleged safety defect and its resolution, or which were used in formulating its assessment of the alleged safety defect.

This letter is being sent to Chrysler pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to perform any investigative activity that may be necessary to enforce Chapter 301 of Title 49, of the United States Code. Chrysler's failure to respond promptly, fully, and accurately to this letter could subject Chrysler to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163, or result in other legal action.

Chrysler's response to this letter, in duplicate, must be submitted to this office by **February 22, 1999**. Please include in your response the identification codes referenced on page 1 of this letter.

If you find that you cannot provide all of the requested information within the time allotted, you must request an extension from me no later than 5 working days prior to the due date at (202) 366-5226. If circumstances prevent Chrysler from submitting all information requested by the due date, Chrysler must submit by that date all the information that you have available, even if an extension was granted.

If you consider any portion of your response to be confidential information, include that material in a separate enclosure marked "Confidential." In addition, 49 CFR Part 512, "Confidential Business Information," requires that manufacturers "submit two copies of the document containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted to the Office of Chief Counsel, National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, SW, Washington, D.C. 20590. Include the name, address, and telephone number of a representative for receipt of a response from the Chief Counsel under this part." Chrysler is required to provide the Office of the Chief Counsel supporting information for the request for confidential treatment described in Part 512.

If you have any technical questions concerning this matter, please contact Mr. Nha Nguyen at (202) 366-6280 or by fax at (202) 366-7882.

Sincerely,

Jonathan D. White, Chief
Recall Analysis Division
Office of Defects Investigation
Safety Assurance

29 Enclosures:

ODI Nos. included in RQ98-023

540919, 541804, 827760, 529440, 827530, 517562, 806206, 533429, 826143, 824701, 815252, 821751, 520533, 520451, 520060, 520220, 535554, 542005, 542121, 828015, 537984, 829491, 821868, 822253, 826392, 535948, 8288821, 824474, 826719

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