

400 Seventh Street, S.W. Washington, D.C. 20590

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

Stephan J. Speth, Director Vehicle Compliance and Safety Affairs DaimlerChrysler Corporation -800 Chrysler Dr. -- CIMS 482-00-91 Aubum Hills, MI 48326-2757 NVS-213phk EA03-023

Dear Mr. Speth:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an Engineering Analysis to investigate allegations of front suspension upper ball joint separations in model year (MY) 2000 through 2002 Dodge Durango sport utility vehicles manufactured by DaimlerChrysler Corporation (EA03-023), and to request additional information on those vehicles, on other MY 1998 through 2003 Durangos, and on MY 1997 through 2004 Dodge Dakota pickup trucks.

ODI has received 33 reports alleging front suspension upper ball joint separation in MY 1998 through 2003 Dodge Durango sport utility vehicles and 12 such reports for MY 1997 through 2004 Dodge Dakota pickup trucks equipped with the same parts. All of the complaints allege ball joint separation and/or an unexpected collapse in the front suspension and several allege that the ball joint separation resulted in a wheel and steering knuckle separating from the vehicle. All but three of these reports were received by ODI in the last 7 months. A copy of each of the reports is enclosed for your review.

DaimlerChrysler's September 5, 2003 letter responding to PE03-032 indicated that for MY 2000 the supplier of the front suspension upper ball joints was changed from TRW to New Castle Machining (NCM). Twenty-five of the Durango separation incidents and all of the Dakota incidents involve vehicles produced with the NCM parts. Twenty-two of the Durango complaints and seven of the Dakota complaints were for MY 2000 vehicles alone. In MY 2003, the upper ball joints were redesigned from a two-piece plastic bearing to a one-piece plastic bearing, a change that may improve the resistance of the subject components to water intrusion and consequent corrosive/grinding wear related failures. Hence, the scope of EA03-023 is MY 2000 through 2002 Durango sport utility vehicles. However, to assist us in our investigation, we are requesting information on all MY 1998 through 2003 Durango sport-utility vehicles and all MY 1997 through 2004 Dakota pickup trucks equipped with similar parts.



In order to evaluate the alleged defect and complete its investigation, ODI is requesting specific information from DaimlerChrysler. Unless otherwise stated in the text, the following definitions apply to the information requests:

- Subject Vehicles: For purposes of responding to this information request, all MY 1998 through 2003 Dodge Durango sport utility vehicles and all MY 1997 through 2004 Dodge Dakota pickup trucks manufactured for sale or lease in the United States.
- <u>Subject Components</u>: All upper ball joints manufactured for use as original equipment or service parts on the subject vehicles.
- <u>Daimler Chrysler</u>: Daimler Chrysler Corporation, all of its past and present officers and employees, whether assigned to its principal 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 its 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 Daimler Chrysler (including all business units and persons previously referred to), who are or, in or after 1995, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
  - a. Design, engineering, analysis, modification or production (e.g. quality control);
  - b. Testing, assessment or evaluation;
  - Consideration, or recognition of potential or actual defects, reporting, recordkeeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
  - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- <u>Alleged Defect</u>: The front suspension upper ball joint allegedly separates and/or a front
  wheel separates from the vehicle while the vehicle is being driven. Incidents involving
  the latter condition can be excluded if they are clearly unrelated to subject component
  failure (e.g., wheel separation due to wheel stud failure).
- <u>Document(s)</u>: "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes,

manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by DaimlerChrysler, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document that contains any note, comment, addition, deletion, insettion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by DaimlerChrysler or not. If a document is not in the English language, provide both the original document and an English translation of the document.

• Other Terms: To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as DaimlerChrysler has previously provided a document to ODI, DaimlerChrysler may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and items). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please list verbatim the applicable request above each response. After DaimlerChrysler's response to each request, identify the source of the information and indicate the last date on which the information was gathered.

1. State, by model, model year, and drive type (two-wheel drive or four-wheel drive) the number of subject vehicles DaimlerChrysler has manufactured for sale or lease in the United

States. Separately, for each subject vehicle manufactured to date by DaimlerChrysler, state the following:

- Vehicle identification number (VIN);
- b. Make;
- c. Model:
- d. Model year;
- e. Drive type;
- f. Date of manufacture;
- g. Date warranty coverage commenced; and
- The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the information for this request in a Microsoft Access 2000 table format (or a compatible format). Entitle the table "PRODUCTION DATA." See Enclosure 1, Data Collection Disk, for a pre-formatted table that provides further details regarding this submission.

- 2. State the number of each of the following, received by DaimlerChrysler, or of which DaimlerChrysler is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
  - Consumer complaints, including those from fleet operators;
  - Field reports, including dealer field reports;
  - c. Reports involving a crash, injury, or fatality, based on claims against DaimlerChrysler involving a death or injury, notices received by DaimlerChrysler alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
  - d. Property damage claims;
  - e. Third-party arbitration proceedings where DaimlerChrysler is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which DaimlerChrysler is or was a defendant or codefendant.

For items "a" through "d", state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (e.g., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f", provide a summary description of the alleged problem and causal and contributing factors and DaimlerChrysler's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g", identify the parties to the action, as well as the caption, court, docker number, and date on which the complaint or other document initiating the action was filed.

In a separate enclosure, provide a tabulation of the total complaint counts by source (complaints, field reports), model, model year, drive type, and complaint category for all other complaints and field reports related to the subject components. Use the following complaint categories for this tabulation: (1) wear; (2) noise; (3) loose steering; (4) uneven tire wear; (5) cost of repair; (6) other; and (7) unknown.

- 3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2 state the following information:
  - a. DaimlerChrysler's file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner or freet name (and fleet contact person), address, and telephone number;
  - d. Vehicle's VIN;
  - e. Vehicle's make, model and model year;
  - f. Vehicle's mileage at time of incident;
  - g. Incident date:
  - h. Report or claim date;
  - Whether a crash is alleged;
  - j. Whether property damage is alleged;
  - k. Number of alleged injuries, if any; and
  - I. Number of alleged fatalities, if any.

Provide the information for this request in a Microsoft Access 2000 table format (or a compatible format). Entitle the table "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disk, for a pre-formatted table that provides further details regarding this submission.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method DaimlerChrysler used for organizing the documents.

In addition, for all material responsive to this request, all material provided in response to this request in DaimlerChrysler's September 5, 2003 response to PE03-032, and all complaints enclosed with this letter, provide copies of the full service histories of each vehicle and copies of all dealer repair records (including all technician comments/notes) related to front suspension service.

5. Provide a comprehensive table of all incidents responsive to Request No. 2 in this submission, the incidents identified in the PE03-023 response, and the incidents identified in the VOQ's enclosed with this letter showing DaimlerChrysler's assessment of the causes of each. Provide this information by VIN, date of incident, alleged cause, DaimlerChrysler's assessed cause, and the basis for DaimlerChrysler's assessment (e.g., field investigation, examination/analysis of returned parts, service records, examination of photographs or reports, etc.). Use the following categories for DaimlerChrysler's assessment of the causal factors: (a) upper ball joint separation; (b) upper ball joint failure related to retaining nut

installation; (c) upper ball joint failure related to impact damage (describe impact); (d) other cause/type of upper ball joint failure; (e) upper ball joint did not fail catastrophically; (g) confirmed non-upper ball joint failure (e.g., failure of lower ball joint or other component of front suspension); and (h) insufficient information to determine if upper ball joint failure occurred.

6. State, by model, model year, and drive type, a total count for all of the following categories of claims, collectively, that have been paid by DaimlerChrysler to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. DaimlerChrysler's claim number,
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN:
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- Replacement part number(s) and description(s);
- j. Whether the vehicle was towed to the dealer for the repair (y/n);
- k. Secondary component damage (y/n) Whether there were coincident repairs to secondary components that can be damaged when an upper ball joint separation occurs. For example, repairs to the following components at the same front wheel position as the subject component on or about the same date as the subject component repair (± 2 days): brake rotor, brake hose, axle (four-wheel drive), body damage, steering knuckle, etc. (state the specific criteria used by DaimlerChrysler);
- I. Concern stated by customer; and
- m. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide the information for this request in a Microsoft Access 2000 table format (or a compatible format). Entitle the table "WARRANTY DATA." See Enclosure 1, Data Collection Disk, for a pre-formatted table that provides further details regarding this submission.

7. Describe in detail the search criteria used by DaimlerChrysler to identify the claims identified in response to Request No. 6, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles and all labor operations DaimlerChrysler used to identify vehicles that had been towed and/or vehicles with secondary component damage. State, by make and model year, the terms of the new vehicle warranty coverage offered by

DaimlerChrysler on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that DaimlerChrysler offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

- 8. Produce copies of all service, warranty, and other documents that DaimlerChrysler has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities, that relate to, or may relate to, the alleged defect in the subject vehicles. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any such communication that DaimlerChrysler is planning to issue within the next 120 days, and state the date on which DaimlerChrysler plans to issue the communication.
- State the torque specifications for the retaining nuts for the upper ball joints and describe the
  quality control processes for monitoring this and other aspects of subject component
  assembly.
- 10. Provide copies of all engineering standards, design verification/validation documents, and production part approval process documents related to the subject components. Provide copies of all completed verification, validation, and PPAP reports.
- 11. State the design life for subject components. Explain why DaimlerChrysler decided to use maintenance free ball joints for the upper and later for the lower control arm assemblies used in the subject vehicles.
- 12. Furnish copies of all communications between Daimler Chrysler and each supplier of subject components for the subject vehicles that pertain to the design, manufacture, performance, durability, quality, testing, or modification of the ball joints for the subject vehicles or to their application for the front suspension assembly. If any communications on this subject were oral or were conducted electronically, provide a written transcript or summary of each such communication, and include a statement that identifies the participants and the date of the communication.
- 13. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles, that have been conducted, are being conducted, are planned, or are being planned by, or for, DaimlerChrysler. For each such action, provide the following information:
  - a. Action title or identifier;
  - The actual or planned start date;
  - The actual or expected end date;
  - d. Brief summary of the subject and objective of the action;

- Engineering group(s)/supplier(s) responsible for designing and for conducting the action;
   and
- f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

- 14. Identify and describe all service and production countermeasures that have been considered by DaimlerChrysler to address problems with wear related failures of subject components. State which alternatives, if any, have been eliminated and state the reasons. For each option that remains under consideration, identify the remaining testing and analyses needed to make a decision and give the target dates for completing each action.
- 15. Other than the modifications described in DaimlerChrysler's September 5, 2003 response to PE03-032, describe every modification or change made by, or on behalf of, DaimlerChrysler in the design, material composition, manufacture, quality control, supply, or installation of the subject component(s), from the start of production to date, that relates to, or could relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
  - The date or approximate date on which the modification or change was incorporated into vehicle production;
  - b. A detailed description of the modification or change;
  - c. The reason(s) for the modification or change;
  - d. The part numbers (service and engineering) of the original component;
  - e. The part numbers (service and engineering) of the modified component;
  - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
  - g. When the modified component was made available as a service component; and
  - Whether the modified component can be interchanged with earlier production components.

Also, provide the information requested in items "a" through "h" above for any further modification or change to the subject component(s) of which DaimlerChrysler is aware which may be produced, distributed, made available, or incorporated into vehicle production within the next 120 days, provided that in this context, item (a) above refers to planned changes and should be read as if it were written in the future tense.

16. For each model and drive type, provide computer model images of the front suspension components at full jounce and full rebound. Include in each drawing the loads (x-, y-, and z-direction forces and the resultant forces magnitudes and directions) of the upper and lower ball joints. Also, include the angles of articulation of each control arm and ball joint (measured from the ball joint stem to control arm axis) from static curb weight condition to the full jounce and full rebound positions.

- 17. For each model and drive type of subject vehicle, describe, and provide copies of all documents relating to, all vehicle testing (including computer simulations) to assess the forces acting on the subject ball joints. Provide DaimlerChrysler's assessment of the forces acting on the subject ball joints and the associated control arm bushings in the x-, y-, and z-directions during: (a) static conditions; (b) steady state driving; (c) cornering (both sides); (d) braking (normal and hard); and (e) transient driving conditions (e.g., force vs. time plots of forces associated with driving over a vertical perturbation in the road at a designated speed for instance, force vs. time plots for each load direction showing transitions from steady state to full jounce to full rebound to steady state while driving at 30 mph).
- 18. Provide DaimlerChrysler's assessment of which of the above (in Request No. 17), or other, operating conditions contribute most to: (a) wear of the subject components; and (b) separation of worn joints.
- 19. Describe, and provide copies of all documents relating to, all testing conducted by, or for, DaimlerChrysler to assess the separation or pull-out forces for new and used ball joint assemblies used in the subject vehicles. Provide copies of all test plans and procedures used and video demonstrating how each test was performed. Include in your response to this request a detailed comparison of the axial and side-load forces required to separate ball joints supplied by TRW and NCM in both new and field return parts. For the latter, state the VIN, mileage, symptoms reported by the owner, end-play (if measured), ball diameter, and any other measurements or observations that characterize the degree of wear for each part. Provide pull-out/separation force vs. ball joint wear curves for the TRW and NCM parts and DaimlerChrysler's assessment of the relative performance of the parts from the two suppliers and the relationship of each to the forces that the parts may see in service in each of the subject models and drive types.
- 20. Using the information furnished in response to Request Nos. 17 and 19, provide DaimlerChrysler's assessment of the wear conditions and load conditions (and the associated driving maneuvers) that are necessary to cause a ball joint separation to occur. State what evidence, if any, is available to correlate this assessment to actual incidents of ball joint separation that have been investigated by DaimlerChrysler.
- 21. State the design dimensions and tolerances for the ball and the socket/capsule stem opening for the subject components manufactured by TRW and NCM. Provide copies of all engineering drawings for the subject components.
- 22. Describe, and provide copies of all documents relating to, the DaimlerChrysler field survey that was referenced during the December 9, 2003 meeting with NHTSA.
- 23. Describe in detail, and provide copies of all documents relating to, all other testing and analyses that have been conducted by, or for, DaimlerChrysler on field return samples of subject components. Provide an electronic listing of all such parts collected by DaimlerChrysler. Include the following information in the list: (a) VIN; (b) repair date; (c) symptoms reported by the consumer; (d) end-play (if measured); (e) dealer technician notes/observations; (f) DaimlerChrysler's characterization of the severity of the wear in the

part (use the categories low, moderate, or severe and state the conditions used by DaimlerChrysler to define each category); (g) ball diameter; (h) ball hardness; (i) socket hardness; and (j) a column for each of the analyses that have been completed or are planned by DaimlerChrysler, with the results for completed tests shown for each part. Provide photographs of each part, including high-resolution pictures of the balls that have been removed from returned parts with metric scales shown in the images.

- 24. Describe, and provide copies of all documents relating to, all metallurgical testing and analyses of new and field return ball joint assemblies supplied by TRW and by NCM that have been done by DaimlerChrysler or of which DaimlerChrysler is otherwise aware. Include all mechanical and chemical analyses of ball, socket, and wear debris, such as microscopy, metallography, macroscopic and microscopic hardness testing, microstructure analysis, and chemical analyses of wear surfaces or wear debris. Describe by manufacturing process, hardness, and thickness all case hardening and/or or surface coatings in the balls and sockets/capsules of new parts supplied by TRW and NCM and provide copies of relevant specifications and documents.
- 25. State whether DaimlerChrysler has conducted any testing or analyses of subject components to measure the rate of corrosive/grinding wear related dimension change of the balls and/or sockets. Describe the test methods and results for any such analyses and provide copies of all related documents.
- 26. Provide DaimlerChrysler's assessments of the approximate mileage ranges and symptoms associated with the following stages of upper ball joint wear progression: (a) initiation of water intrusion; (b) evacuation of joint lubrication; (c) deterioration/disintegration of the plastic bearing; (d) onset of corrosive/grinding wear the ball and socket; (e) 25 percent reduction of joint pull-out forces; (f) 50 percent reduction in joint pull-out forces; and (g) severe loss of joint retention capability (e.g., ball can be separated from socket with less than 200 pounds force of axial or side load). For parts "e" through "g," state the approximate ball diameters associated with the respective joint load capacities. For part "d" through "g," state DaimlerChrysler's assessment of the wear rates through each stage, including whether the wear rates are approximately constant or if they may accelerate at some point in the process. State the bases for each such assessment.
- 27. State the number of each of the following that DaimlerChrysler has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model, model year, and drive type of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):
  - Subject component;
  - Front suspension lower ball joint;
  - Front suspension upper control arm;
  - d. Front suspension lower control arm; and
  - Any kits that have been released, or developed, by DaimlerChrysler for use in service repairs to the subject component/assembly.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number).

Also, identify by make, model and model year, any other vehicles of which DaimlerChrysler is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

- 28. Provide DaimlerChrysler's assessment of the effect of the change to the one-piece bearing design that was implemented in MY 2003 vehicles on the wear related failures of the subject components. Identify any test data or field data analyses that provide quantitative evidence of the effectiveness of the design change.
- 29. Using Weibull analysis of warranty data for all wear related claims, provide DaimlerChrysler's estimates of the following for the subject components by model, drive type, and model year:
  - a. State the slope (β) and scale (η) parameters;
  - b. State the estimated B1, B5, and B10 service intervals (in mileage);
  - c. State the percentages of subject components that DaimlerChrysler estimates will have experienced a wear-related failure of a subject component at the following mileage intervals: 50,000 miles; 100,000 miles; and 150,000 miles;
  - d. Provide DaimlerChrysler's assessment of how well the estimates compare with current volumes and trends in part sales; and
  - e. Based on the currently understood ratios of separation failures to total wear related failures of subject components, provide DaimlerChrysler's estimate of the total number of separation incidents that may occur in the next three years.
- 30. Furnish DairnlerChrysler's current assessment of the alleged defect in the subject vehicles, including:
  - The causal or contributory factor(s) of corrosive/grinding wear related failures of subject components;
  - The failure mechanism(s) of corrosive/grinding wear related failures of subject components;
  - c. The wear condition of upper ball joints that have been involved in known incidents of upper ball joint separation that have been investigated to date this should be limited to parts that have been inspected, tested, or otherwise analyzed by, or for, DaimlerChrysler;
  - d. The driving maneuvers associated with known incidents of upper ball joint separation that have been investigated to date – include DaimlerChrysler's assessment of the estimated forces from each such maneuvers on the subject components;
  - The reason(s) for differences in rates of separation between subject components supplied by TRW and NCM;
  - f. The reason(s) for the disproportionately high rate of separation incidents currently alleged in the MY 2000 subject vehicles;
  - g. The reason(s) for differences in the rates of subject component separation, if any, when compared by model and drive type;
  - h. The risk to motor vehicle safety that it poses;

- What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
- The reports included with this inquiry.

This letter is being sent to DaimlerChrysler pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. DaimlerChrysler's failure to respond promptly and fully to this letter could subject DaimlerChrysler 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. (Other remedies and sanctions are available as well). Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. Pub. L. No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$5,000 per day, with a maximum of \$15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If DaimlerChrysler cannot respond to any specific request or subpart(s) thereof, please state the reason why DaimlerChrysler is unable to do so. If on the basis of attorney-client, attorney work product or other privilege, DaimlerChrysler does not submit one or more requested documents or items of information in response to this information request, DaimlerChrysler must provide a privilege log identifying each document or item withheld, and state the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (including all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Please submit two copies of DaimlerChrysler's response to this letter (including any confidentiality requests) to this Office by March 12, 2004. Please utilize Case No. EA03-023 in DaimlerChrysler's response to this letter. If DaimlerChrysler finds that it is unable to provide all of the information requested within the time allotted, DaimlerChrysler must request an extension from Mr. Jeffrey L. Quandt at (202) 366-5207 no later than five (5) business days before the response due date. If DaimlerChrysler is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information DaimlerChrysler has available at that time, even if an extension has been granted.

If DaimlerChrysler claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. § 1905, DaimlerChrysler must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 C.F.R. Part 512, as amended (68 Fed. Reg. 44209 et seq (July 28, 2003)), to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. DaimlerChrysler is required to submit two copies of the documents 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.

If you have any technical questions concerning this matter, please contact Mr. Peter Kivett, Safety Defects Engineer, of my staff at (202) 366-6178.

Sincerely,

Kathleen C. DeMeter, Director Office of Defects Investigation

Enforcement

Enclosures: (2) – One CD ROM titled Data Collection Disk containing three files and Forty Five Vehicle Owner's Questionnaires

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Include, if available: Police/Fire Department Report, Photos, and Repair Invoke,

ATTACH ADDITIONAL SHEETS IF NECESSARY

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Include. If available: Police/Fire Department Report. Photos, and Result Invoice.

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Crash Fire		Numbe	r of Pen	sone Entured Nu	mber of Dea	aths		ed to Police		
Narrative Description of	Incident(5), O	rush(es).	, and In	turv(ies).				<u> </u>		
Plance describe (1) even	ts leading up	to the fal	<b>hee,</b> (2)	) failure and its cons	roquences,	and (3	) what we	is dans to correct t	he fai	Berej
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ADD ANY ADDITIONAL I	HEORMATION.	. *PH								
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						7777		<del></del> _	THE THE PERSON NAMED IN COLUMN	-305	TALE NELESSARY

The Privacy Act of 1974-Public Law #3-979 This information is requested pursuant to authority vected in the National Highway Traffic Safety Act and subequest annual superiority. You are under no obligation to respond the questionates your respondency in what to assist the NATSA is determining whether a Manufacturer should take appropriate action to correct a safety defect. If the RATSA proceeds with animals in the respondence of Ratsaland and the substantial summary thereof, say be used in support of the agency's action.

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National High Traffic Safety Administratio	•	ïn	TER	1-888-D (1-898- NETNWW.n)	327-42	36)	ot <b>ine</b>		06-	OCT-2003		Verence No. 041324
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							HOTTAM					
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Include, if available; Police/Fire Department Report, Photos, and Repair Involce.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law (20-579 This information is requested personnel to authority vasted in the Michael (righney Yruffic Beliety Act and subsequent amounts. You are under no obligation to respond this questionate. Your response many be used to easily the NITEA in determining whether a Haustecturer phoads take appropriate action to correct a select defect. If the NITEA proceeds with administrative selectoment or Righton against a ministrative, your response, or a statistical successing thereof, may be used in support of the agency's action.

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Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY
The Privacy Act of 1974-Public Law 93-979 Tele information is requested parameter anotherity vested in the National Highway Traffic Safety Act and maintenant anotherity vested in the National Highway Traffic Safety Act and maintenant another anotherity. Your response unity to examine the NATAA in determining whether a Manufacturer should take appropriate action another another another another another anotherity and requires, and the support of the appropriate action.

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Include. If available: Police/Fre Department Report. Photos, and Repair Invoice.

The Privacy Act of 1974-Public Line 93-579 This interpreties is requested pursuent to authority vented in the National Highway Irreffic Batety Act and subsequent sweetheres. You are under no obligation to respond this quantiformake. Year response may be used to easiet the NATEA in determining whether a Manufacturer should take appropriate action to correct a select detect. If the NATEA proceeds with administrative enforcement or Eigety a against a manufacturer, your response, or a statistical summany thereof, may be used in steppint of the opening it action.

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ATTACH ADDITIONAL SHEETS IF NECESSARY

Include, If available: Police/Fire Department Report, Photos, and Repair Invoice,

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Include, if available: Police/Fire Department Report, Photos, and Repair Involve.

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ATTACH ADDITIONAL SHEETS IF NECESSARY

Include, if available: Police/Fire Department Report. Photos, and Repair Invoice.

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The Privacy Act of 1974-Public Live \$3-579 This informables is requested parametric nathority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respect this questionable. Your response may be used to maint the NATION in determining estation a National Report and Safety Act and subsequent should take appropriate action to correct a safety defect. If the NATION proceeds with indestructive embrouses or highest a spentile section appears a section of a statistical summary thereof, may be used in support of the agency's action.

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Include. If available: Collect Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SISTERS IF NECESSARY
The Privacy Act of 1974-Public Law 939-979 This information is requested personnt to authority region in the Reliand Highway Treffic Selety Act and exhaust amountments. You are under no obligation to respend this questiontains. Your response may be used to selet the RHTEA in determining emotion or advantage of the determining emotion of the select of the determining emotion of the select of the

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

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The Privacy Act of 1974-Public Law 93-579 This information is requested parameter to suther by highest highlest Traffic Substy Act and authorizes the parameter. Your response may be used to exain the NHTSA in determining whether in Harmfacturer should take appropriate action to carrect a substy defect. Of the NHTSA processes with information and occurrent or highest a manufacturer, your response, or a statistical summer; thereof, may be used to expect of the agency's action.

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Traffic Safety		***		(1-888-		(236) ot.gav/h				-100-2000 ·	1 '	
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17 digit Vahida Iden	àFkatler	Number Locati	ad at bott	tors of wind	shield on r	driver's side	Make			Model		Model Year
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Original Owns	er	Dealer's City			<u>.</u>		State FL	Zo C 3278	nde 30	No. Claws A		
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of Transportate	OD.	Т	o Re	eport Yahk 1-869-D	ASH-2	Ł-DOT	ects					<u> </u>	ference No.
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		ADDITION	LI	TEMS TO BE	COMP	LETTED WIT	IBN Ř.	PORTI	NG.	À CHILD	SEAT PATLURE		
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Narrathra Descript Planse describe (2 Le, parts repaired	tion of I	ncident(3), C	10 Hz	a falkure, (2) i		and its cor	se que	nces, ar	nd (	2) what m	es done to correct	the fi	illure;
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MY EXTENDED WA	ARRANT	Y REPLACED	ALL 4	H BALL JOINT	S AND	THE TWO	PPER	CONTRO	OL A	KMS.*AK	•		
											•		

Include, if gradable: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF MECESSARY
The Phylogy Act of 1874-Public Law 93-879 This information is requested pursuant to subjectly vested in the National Highway Truth Ballety Act and management surroughwards. You are deduce so obligation to respond this generatorement. Your responds only be used to master the MITSA in determining whether a Manufacturer strongly take appropriate action by contract a safety defect. If the MITSA proceeds with subministrative enforcement or hitselfor against a result facturer, your responds, or a platfacturer thereof, may be used in support of the against a section.

					<u>.</u>					Form Are	med	I O.H.S. No. 2127-4065
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Date Purchase 23-DBC-99				ul Talephone M	Humber					Engine: No: Cylinders <u>fi</u>		Fuel Type: Gas
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Include. F evaluable: Police/Fre Department Report, Photos, and Report Involve.

ATTACH ADDITIONAL SHEETS IF NECESCARY
The Privacy Act of 1974-Public Love 83-579 This information is requested pursuant to authority vasted in the finthean Highway Traffic Refers Act and subsequent amendments. You are under no obliquation to respond this quartic sealer. Your response cuty in seed to assist the MITSA is determining whether a Manufacturar should take appropriate action to correct a safety defect. If the MITSA proceeds with a deviality of conference against a manufacturar, your response, or a statistical manufacturary thereof, may be east in support of the appropriate.

_										form App	redi:	O.H. E. No. 7137-8608
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U.S. Departmen	mt.		ick	Owner	's Qu	restion			Date Red	peved	Rep	ository 🗌
of Transportation (National High				1-888-1 (1-989-	ASH-	2-DÓT			12.	-JAN-2004	Ref	erence No.
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Signature of Over						- 7		Deb				
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17 digit Vehicle Ident	disting	Number Locate	rd at	bottom of wind	<b>shield</b> on	driver's skie	Males			Model		Model Year
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Sest Type: Child Seat Compone	ent Code			Failed Part:	<u>Installat</u>	tion System	<u> </u>		— <u>-</u>	<del>- ·-</del>		
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OF POOR LUBRIC												
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Include, if available: Police/Fire Department Report. Photos, and Repair Invoice.

The Privacy Act of 1974-Public Lans 83-179 This information is requested purchased to active the National Highway Traffic Safety Act and astrongenet amendments. You are used as a slightly to respond this questionnairs. You response may be used to active the 1975A to determining whether a Manufacturer should thus appropriate active to correct a suffery defect. If the 1975A to the child instructive quipe or interest in the child in the percent of the segment of the segment of the child instructive quipe or interest in the child in the percent of the segment of the

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<u> </u>			æ	Missi (	APY <del>Pole</del>	iu daga iye indi Midwalin ildi	TOES.	T INFORMATION Failures: Crashins	i Landinum	v66c2.)		
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