

**DAIMLERCHRYSLER**  
NVS-21

2004 FEB 12 F 4: 02

OFFICE OF  
DEFECTS INVESTIGATION

DaimlerChrysler Corporation

Stephan J. Speth

Director

Vehicle Compliance & Safety Affairs

February 11, 2004

Mr. Jonathan D. White, Chief  
Defects Assessment Division  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, D.C. 20590

Dear Mr. White:

Reference: NVS-211cw; DP03-006

This document amends DaimlerChrysler Corporation's response to the referenced inquiry regarding 1994-1997 Dodge Ram pickup trucks equipped with a front seat recliner mechanism.

The consumer complaint data supplied in response to Question 2 has been updated to rectify an error when the data was originally prepared for submission.

Sincerely,



Stephan J. Speth

Attachment and Enclosure (a/s)

- Q2. State the number of, and provide copies of all documents relating to the alleged defect in the subject vehicles, from each of the following categories, either received or authorized by DaimlerChrysler, or of which DaimlerChrysler are otherwise aware. For each source organize the information by file/report number:**
- a. Owner and fleet reports;**
  - b. Field reports, including all reports and requests for technical assistance from dealer personnel and/or zone offices;**
  - c. Reports of, or requests for, roadside assistance or recovery;**
  - d. Crash, injury and fatality reports, regardless of whether any claim, proceeding, or lawsuit is or was involved;**
  - e. Property damage reports that do not involve a crash or fire;**
  - f. Subrogation claims;**
  - g. Third-party arbitration proceedings where DaimlerChrysler is or was a party to the arbitration; and**
  - h. Lawsuits, both pending and closed, in which DaimlerChrysler is or was a defendant or codefendant.**

**Furnish a total number for each item separately, and provide copies of all requested documents, whether or not they have been verified by DaimlerChrysler. DaimlerChrysler's response shall include, but not limited to, (1) all reported incidents that have occurred or may have occurred, at least in part, due to circumstances, conditions, or problems caused by the alleged defect in the subject vehicles; (2) complaints or information provided by fleets, consumer groups, government agencies, insurance companies, and other entities that have provided such information to DaimlerChrysler; and (3) all crash, injury, or fatal incidents, regardless of whether and claim, proceeding, or lawsuit is or was involved, or whether or not each has been verified by DaimlerChrysler. Multiple incidents involving the same vehicle are to be counted separately.**

**For items "d" through "h" the documentation provided should also include DaimlerChrysler's file number, a summary of the alleged component failure and causal factors; DaimlerChrysler's assessment of the failure with a description of the significant underlying facts and evidence; and the identity of all involved parties, caption, court, docket number, and filing date (items "f" through "h" only).**

- A2. The following summarizes the non-privileged reports received by DaimlerChrysler Corporation that relate to, or may relate to, the alleged condition in the subject vehicles. DaimlerChrysler Corporation has conducted a reasonable and diligent search of our normal repositories of such information.

There are a total of 53 unique complaints, field reports, and VOQ reports alleging a potential recliner concern in vehicles not involved in a rearward impact. Taken across a vehicle population of approximately 1.2 million vehicles, this corresponds to a complaint rate of less than 5 conditions per 100,000 vehicles. DaimlerChrysler Corporation strongly believes that these reports are random, statistically insignificant, and do not identify a trend, especially given the advanced age of the subject vehicles. DaimlerChrysler Corporation also notes that the subject seats meet and exceed all of the requirements for FMVSS 207, Seating Systems.

- a. There are a total of 40 customer complaints in the DaimlerChrysler Corporation system, involving 36 unique vehicles that alleged a potential recliner concern in vehicles not involved in a rearward impact. There are also 22 complaints involving rearward impacts with 17 unique vehicles.

There are a total of 23 NHTSA VOQ reports. DaimlerChrysler Corporation has found 11 of these may be related to the alleged condition. Four of the 11 involved a rear impact. The remaining 12 reports address power seat adjusters, seat back hinge bolt, customer inquiries, and are not related to the recliner mechanism. Interestingly, the VOQ relating to Petitioner Robert Steele appears unrelated to an actual recliner failure or an actual incident, according to the information provided by Mr. Steele. It should also be noted that 3 of these reports do not involve Dodge Ram Pickup trucks. One report has an invalid vehicle identification number.

Seven of the 11 potentially relevant NHTSA VOQ's have related customer complaints in the DaimlerChrysler Corporation system. The remaining four NHTSA VOQ's are unique reports which do not have related complaints in the DaimlerChrysler Corporation system.

There are no fleet reports for the alleged condition.

- b. There are 16 field reports that contain 14 unique vehicle reports that alleged a potential recliner concern in vehicles not involved in a rearward impact. There are two field reports that involve a rearward impact. One of the field reports also has a consumer complaint associated with it.

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**ATTACHMENT**

- c. There are no requests for roadside assistance or recovery.
- d. There are 34 DaimlerChrysler Corporation complaints, field reports, lawsuits, and claims involving 29 unique vehicles that allege a rearward impact and subsequent rearward seat back deformation potentially related to the recliner mechanism. There are 22 reported injuries and two reported fatalities. Regarding the reported fatalities, one involved a rear end collision by an eighteen wheel tractor trailer, the second involved a rear end collision by a full sized pickup truck towing a passenger car on a flat bed trailer.

One consumer complaint alleges that the driver struck a snow bank with only minor damage to the bumper after the driver seat back collapsed.

- e. There are no property damage reports that are responsive to this inquiry.
- f. There are no subrogation claims involving DaimlerChrysler that are responsive to this inquiry.
- g. There are no third party arbitration proceedings involving DaimlerChrysler that are responsive to this inquiry.
- h. There have been 8 lawsuits and 3 claims that may be responsive.

Copies of all reports and the supporting documents are included in Enclosure 1.