



NOV 18 2004

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

400 Seventh St., S.W.  
Washington, D.C. 20580

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Gay Kent, Director  
Product Investigations  
General Motors Corporation  
Mail Code 480-106-304  
30500 Mound Road  
Warren, MI 48090-9055

NVS-213gem  
EA04-011

Dear Ms. Kent:

This letter is to collect additional data in support of the Office of Defects Investigation's (ODI) continued examination of alleged parking brake ineffectiveness in certain MY 1999-2003 GMC Sierra and Chevrolet Silverado pickup trucks built on the GMT800 platform by General Motors Corporation, equipped with manual transmissions and "drum-in-hat" parking brakes. ODI commenced investigation of this issue with a Preliminary Evaluation (PE03-057), which was subsequently upgraded to an Engineering Analysis (EA04-011).

Over the time period since the opening of EA04-011, this office has received one additional report of parking brake ineffectiveness in these vehicles, in addition to eighty-one similar reports in other vehicles based on the same platform. These reports indicate that highly accelerated wear-out of the parking brake friction linings during vehicle usage renders the parking brake incapable of properly immobilizing a parked vehicle. This body of reports includes 2 alleged crashes that led to an injury and a death. A copy of each of the reports is enclosed for your information.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** all MY 1998-2004 pickup trucks and utilities (including but not limited to the Sierra/Silverado/Avalanche/Escalade EXT pickups and the Suburban/Tahoe/Yukon/Escalade utility vehicles built on the GMT400 and GMT800 platforms) manufactured for sale or lease in the United States.
- **Subject component:** the complete parking brake assembly mounted on either end of the rear axle including, but not limited to, the brake disc/drum, brake shoes, and any associated mountings or actuation components, manufactured for use on the subject vehicles.

- **GM:** General Motors 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 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 GM (including all business units and persons previously referred to), who are or, in or after January 1, 1996, 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;
  - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping 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.
  
- **Alleged defect:** inability of the parking brake to adequately hold a vehicle in a stationary position.
  
- **Document:** "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 GM, 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, which contains any note,

comment, addition, deletion, insertion, 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 GM 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.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as GM has previously provided a document to ODI, GM 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 subparts). 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 repeat the applicable request verbatim above each response. After GM's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of subject vehicles GM has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by GM, state the following:
  - a. Vehicle identification number (VIN);
  - b. Model;
  - c. Transmission type;
  - d. Two wheel or four wheel drive;
  - e. Parking brake manufacturer, type, and RPO;
  - f. Date of manufacture;
  - g. Date warranty coverage commenced; and
  - h. The zip code in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide this information in seven separate files, each file corresponding to one of the subject model years in Microsoft Access 2003, or a compatible format, entitled "EA04-011 MY 20xx

**PRODUCTION DATA.**" See Enclosure 2, EA04-011 Data Collection Disc, for pre-formatted tables that provide further details regarding this submission.

2. State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
  - a. Consumer complaints, including those from fleet operators;
  - b. Field reports, including dealer field reports;
  - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer 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; and
  - e. Third-party arbitration proceedings where GM is or was a party to the arbitration; and lawsuits, both pending and closed, in which GM is or was a defendant or codefendant.

For subparts "a" through "e", 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 (i.e., 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 "e", provide a summary description of the alleged problem and causal and contributing factors and GM's assessment of the problem, with a summary of the significant underlying facts and evidence. For items d and e, identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

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. GM'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 fleet 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;
  - i. Whether unintended movement of the vehicle occurred while the parking brake was engaged;
  - j. Whether a crash is alleged;
  - k. Whether property damage is alleged;
  - l. Where an item was struck, identify the item;
  - m. Number of alleged injuries, if any; and
  - n. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2003, or a compatible format, entitled "EA04-011 REQUEST NUMBER TWO DATA." See Enclosure 2, EA04-011 Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.

4. Produce copies of all documents related to each of items "c" through "e" within the scope of Request No. 2. Organize the documents separately by category (i.e., crash/injury/fatality reports, property damage claims, etc.) and describe the method GM used for organizing the documents.
5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by GM 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. GM'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;
  - i. Replacement part number(s) and description(s);
  - j. Concern stated by customer; and
  - k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2003, or a compatible format, entitled "EA04-011 WARRANTY DATA." See Enclosure 2, EA04-011 Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.

6. Describe in detail the search criteria used by GM to identify the claims identified in response to Request No. 5, 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 in Microsoft Access 2000, or a compatible format. State, by make and model year, the terms of the new vehicle warranty coverage offered by GM on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered).
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that GM has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. 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 communication that GM is planning to issue within the next 120 days.

8. 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, GM. For each such action, provide the following information:
  - a. Action title or identifier;
  - b. The actual or planned start date;
  - c. The actual or expected end date;
  - d. Brief summary of the subject and objective of the action;
  - e. 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.

9. State the number of each of the following that GM has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):
  - a. Subject component; and
  - b. Any kits that have been released, or developed, by GM 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 GM is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

10. Identify the five largest fleets in the United States that utilize the subject vehicles. Separately identify the five largest fleets within the region encompassed by Washington DC, Delaware, Maryland, New Jersey, Pennsylvania, Virginia, Ohio, and West Virginia that utilize the subject vehicles. For each of the fleets identified, state the following:
  - a. Fleet name and address;
  - b. Point of contact name and telephone number; and
  - c. Number of subject vehicles sold to that fleet by model name.
11. Identify any contributory factors that can permit a parked subject vehicle equipped with parking brakes that do not adequately hold to display a "delayed rollaway" condition (e.g., an apparently stationary vehicle begins to roll after the exit of its driver), rather than an immediate rollaway that would be readily detectible.

12. Update the brake system description document enclosed with GM's response to ODI's PE03-057 to include the MY 1998 GMT400 vehicles added to this Information Request.
13. Describe in detail the conditions under which a subject vehicle equipped with an automatic transmission may be shifted either intentionally or unintentionally out of Park. Conditions should include the state of charge of the vehicle's battery, ignition lock position, and service brake status.
14. For each vehicle identified in items "c" through "e" of Request No. 2, and in Enclosure 1 of this letter, provide the following:
  - a. A vehicle service history;
  - b. Date and description of any repairs or service performed on the parking brake system after the roll event;
  - c. GM's assessment of the event's causal factors including:
    - i) Whether premature wear of the parking brake linings as described in Service Bulletin 02-05-26-002A contributed to vehicle's movement; or
    - ii) Reasons why the event may be unrelated to this wear.

This letter is being sent to GM 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. GM's failure to respond promptly and fully to this letter could subject GM 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, Public Law 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 GM cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privileges, GM does not submit one or more requested documents or items of information in response to this information request, GM must provide a privilege log identifying each document or item withheld, and stating 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 (to include 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.

GM's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by January 24, 2005. Please refer to EA04-011 in GM's response to this letter. If GM finds that it is unable to provide all of the information requested within the time allotted, GM must request an extension from Mr. Jeff Quandt at (202) 366-5207 no later than five business days before the response due date. If GM 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 GM then has available, even if an extension has been granted.

If GM 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 are protected from disclosure pursuant to 18 U.S.C. § 1905, GM must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR 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. GM 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. We request, but do not require, that GM provide a Bates stamp number or other means of identification for each document in its confidential submission.

If you have any technical questions concerning this matter, please call Mr. Greg Magno of my staff at (202) 366-0139.

Sincerely,



Kathleen C. DeMeter, Office Director  
Office of Defects Investigation  
Enforcement

Enclosure 1, VOQ Summary file, 82 VOQ images, and one file entitled Alleged Rollaways  
Enclosure 2, one CD ROM titled Data Collection Disc containing nine files