



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

APR 8 2005

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephan J. Speth, Director
Vehicle Compliance & Safety Affairs
DaimlerChrysler Corporation
CIMS 482-00-91
800 Chrysler Drive
Auburn Hills, MI 48236-2757

NVS-212mj1
EA04-013

Dear Mr. Speth:

This letter is in reference to the Office of Defects Investigation's (ODI) Engineering Analysis (EA04-013) concerning driver's air bag clockspring failures in certain model year (MY) 1998 through 2000 DaimlerChrysler minivans manufactured by DaimlerChrysler Corporation (DaimlerChrysler). To assist us at this stage of the investigation, we are requesting additional information.

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

- **Subject vehicles:** All MY 1998 through 2000 DaimlerChrysler minivans (i.e., Caravan, Grand Caravan, Voyager, Grand Voyager, and Town and Country) manufactured after February 1998 for sale or lease in the United States.
- **Subject components:** Driver's 7-circuit air bag clockspring assembly.
- **DaimlerChrysler:** DaimlerChrysler 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 DaimlerChrysler (including all business units and persons previously referred to), who are or, in or after 1997, 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;



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888-DASH-2-DOT
888-327-4235

- 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:** Failure of the subject component, illumination of the air bag warning lamp, failure of the horn, failure of the cruise control, and/or non-deployment of driver's air bag during a crash.
 - **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 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 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 the manufacturer 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," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "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 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 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 DaimlerChrysler's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. Update to current the information DaimlerChrysler provided in its September 3, 2004 response to ODI's Information Request No. 2 dated July 15, 2004, using the format ODI requested be used in that earlier request. You may produce this information either in the cumulative, or may produce only that information supplementary to the information included in its September 3, 2004 response. In either event, please make clear in your response how the information is being produced and state the date on which the information was last gathered.
2. Separately, for each item or report (consumer complaint, field report, claim, notice, or matter) within the scope of your response to Request No. 1, state the following information:
 - a. DaimlerChrysler's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 1 (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 a crash is alleged;
 - j. Whether property damage is alleged;
 - k. Number of alleged injuries, if any; and
 - l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "COMPLAINT DATA."

3. Produce copies of all documents related to each item within the scope of Request No. 1. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method DaimlerChrysler used for organizing the documents. Clearly identify DaimlerChrysler's file number, vehicle owner or fleet name, and VIN for each item responsive to this request.
4. State, by model year, a total count of the vehicles repaired under DaimlerChrysler Safety Recall No. D17 separated by labor operation code.

Separately, for each such repair, 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;
- 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 2000, or a compatible format, entitled "RECALL DATA."

5. Provide copies of all documents related to DaimlerChrysler's D17 Part Retention Survey, regardless of whether the documents are in interim, draft, or final form.

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, 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.

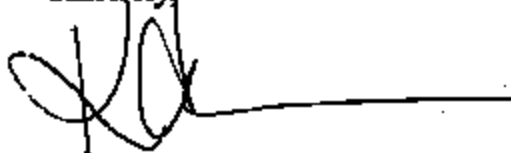
If DaimlerChrysler cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, DaimlerChrysler does not submit one or more requested documents or items of information in response to this information request, DaimlerChrysler must provide a privilege log identifying each document or item withheld, and 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.

DaimlerChrysler's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by April 29, 2005. Please refer to EA04-013 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. Thomas Cooper at (202) 366-5218 no later than five 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 then has available, 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 are 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 CFR Part 512, as amended (69 Fed. Reg. 21409 et seq; April 21, 2004), 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 call Mr. Michael Lee of my staff at (202) 366-5236.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. DeMeter', followed by a long horizontal line extending to the right.

Kathleen C. DeMeter, Director
Office of Defects Investigation
Enforcement