

DAIMLERCHRYSLER

August 17, 2004

Mr. Jeff Quandt
Office of Defects Investigation, Director
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

DaimlerChrysler Corporation

Stephan J. Speth

Director

Vehicle Compliance & Safety Affairs

Dear Mr. Quandt:

Reference: NVS-213phk; PE04-039

RECEIVED
NVS-210
2004 AUG 18 P 3
OFFICE OF DEFECTS
INVESTIGATION

This document contains DaimlerChrysler Corporation's ("DCC") amended response to Question 2 from the referenced inquiry regarding 2003-2004 model year Heavy Duty Ram Pickup Trucks. By providing the information contained herein, DCC is not waiving its claim to attorney work product and attorney-client privileged communications.

Per DCC's discussion with NHTSA's Office of Defects Investigation on August 16, 2004 regarding data presented in DCC's June 22, 2004 response to Question 2, the information provided herein in response to Question 2 has been amended to match the data provided in the Enclosures from the June 22, 2004 response. The data provided in the June 22, 2004 response Enclosures remain accurate and do not require revision, however the number of reports provided in the response to Question 2 were inaccurate. The amended table provided herein summarizes the corrected report counts.

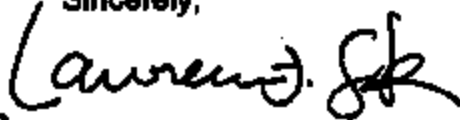
DCC's assessment of the alleged defect in the subject vehicles remains unchanged from the June 22, 2004 response. Based on thorough inspections and evaluations of complaint vehicles and bench evaluation of the entire "Park" engagement system, DCC has found no evidence to suggest a defect in the subject vehicle population. DCC believes that the universal causal or contributory factor of unintended vehicle movement in the subject vehicles is the operator's decision to exit the vehicle with the engine running and without trying to remove the key (which ensures the vehicle is in "Park") or setting the parking brake. DCC is unaware of any vehicle design from any manufacturer that is not theoretically susceptible to unintended vehicle motion under these circumstances.

Inadvertent motion can be avoided by responding to any of the clear and present cues designed into the vehicle to ensure that the vehicle is properly placed in the "Park" position. The subject vehicles are designed with an intentional bias so that the electronic gear indicator (PRNDL) will continue to display "R" during rotation from Reverse to Park and the park pawl will engage the output shaft preventing the vehicle from moving prior to the shift lever reaching gated "Park." Moreover, the reverse lights

will remain illuminated as long as the gear indicator displays "R." Only when the present and unambiguous cues that the vehicle has been properly placed in "Park" are ignored is there any potential risk to motor vehicle safety.

In summary, based on the thorough analysis contained within the June 22, 2004, DCC has found no evidence to suggest a defect in the subject vehicle population.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence J. Speth". The signature is written in a cursive style with a large, stylized initial "L".

for Stephan J. Speth

Attachment

- Q2. State, by model, engine, transmission, model year, and assembly plant, 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 and comparison 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;**
 - 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 subparts "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 (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 "e" 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 "e" and "f," 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.

- A2. DaimlerChrysler Corporation ("DCC") has searched its Customer Assistance System for summarized records of customer communications, referred to as Customer Assistance Inquiry Records (CAIRs), that may be reasonably related to this investigation. It should be noted that CAIRs stored in the Customer Assistance System are coded and categorized based upon the customer's stated reason for contacting the company, as understood by the individual receiving the contact, and do not necessarily reflect any technical analysis or the company's assessment of the reported assertion.**

Following is a brief description of the methodology used to perform a search for CAIRs that could potentially relate to this investigation. First, DCC identified the keywords and categories within the CAIR system that could potentially relate to this investigation. Per discussion with Peter Kvett, ODI investigator, it was agreed that DCC's submission would be responsive to allegations which specify incidents with the key in the ignition and the engine running, as the Preliminary Evaluation cover letter defines. Specifically, DCC searched for all complaints relating to the following: Any complaint combining the terms "park", "reverse", or "gear", combined with any of the terms "roll", "slip", "into", "in to", "out of", "out of", "jump", "backward", or "back ward", in addition to any other transmission complaints. A word search was then conducted of complaints found within these categories. The word search also picks up associated words, such as "parked" and "parking." CAIRs relating to vehicles with manual transmissions were then eliminated. DCC read through the remaining complaints a number of times to identify consistently the CAIRs that might reasonably relate to this investigation.

- a. From the subject population of 183,058 vehicles, there are a total of 46 consumer complaints which may relate to this investigation. Of these complaints, 41 have been investigated by an independent third-party investigator and are noted by the descriptor "SI-CAIR" (Special Investigation - Customer Assistance Information Report). The remaining 5 reports are designated "CAIR" (Customer Assistance Information Report).

Following is a summary of the 46 responsive customer complaints:

- Where possible, DCC investigates allegations of inadvertent vehicle motion at the time of the complaint. Detailed vehicle inspections were conducted with regard to 41 of the original 46 complaints. In 100% of the inspections, the shift mechanism functioned properly; the electronic gear indicator (PRNDL) specified the appropriate gear, the transmission park lock would hold the vehicle on an incline and the key interlock functioned properly to prevent key removal unless the vehicle was engaged in the "Park" position. In each of these investigations, the inspector was unable to recreate the customer allegation of inadvertent rollaway while in the "Park" position. Aside from several shift cable adjustments completed by dealers to alleviate individual customer's concerns, all vehicles inspected functioned properly and as designed.

- Of the 41 reports inspected by an independent third-party investigator, all vehicles inspected functioned properly and as designed.
- Several of the reports indicate the owner/driver had allegations of inadvertent rearward movement prior to the reported incident, and had not altered their behavior as a result.

Subject Vehicle Population: 183,058

Category Description	CAIR	SI - CAIR	Field Reports	Claims / Lawsuits	VOQs	Total
Total responsive reports from all sources	5	41	1	23	7 ¹	77
Unique VINs	4	41	0	0	4	49
Total Consumer Complaint Reports	46					

1) 3 VOQs are identified in customer complaint data, therefore are not counted in total count

- b. There was one field report relevant to this investigation.
- c. The 41 "SI-CAIR" reports include incidents where a vehicle crash was alleged. There are 3 reports alleging personal injury and no reports alleging fatality.
- d. 29 of these total responsive reports claim property damage.
- e. There are no third party arbitration proceedings.
- f. There are 23 legal claims and lawsuits that may be responsive to this inquiry. It is DCC's opinion at this time that these claims and lawsuits are unrelated to any manufacturing or design issue with the subject components in the subject vehicles. The data provided in the above table and a summary of these claims and lawsuits was provided in Enclosure 4 of DCC's June 22, 2004 response.