

APR 26 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Donald Crawford
Director of Quality Management
Continental Tire North America, Inc.
1800-Continental Blvd
Charlotte, North Carolina 28273

NVS-214gtb
EA05-011

Dear Mr. Crawford:

The Office of Defect Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) is conducting an Engineering Analysis (investigation), EA05-011, regarding front tire failures that have occurred in 1995-2000 Country Coach Allure and Intrigue Class "A" motor home recreational vehicles.

The majority of these Country Coach vehicles had originally been equipped with Toyo tires identified as 275/70R22.5, 275/80R22.5 or 12R22.5 (load range E).

ODI is conducting peer inquiries at Michelin, Continental Tire (General Tire), and Goodyear to:

- (1) Determine the general design, manufacturing, application, and/or usage parameters that major tire suppliers incorporate and/or consider when selling tires intended to be installed in Class "A" recreational vehicles and to
- (2) Determine the approximate "failure rates" due to tire blow-out, tread separation, abrupt loss of air, and the like, for front tires manufactured and sold by Continental Tire and installed in Class "A" motor homes; and to
- (3) Determine the approximate comparative "failure rates" due to tire blow-out, tread separation, abrupt loss of air, and the like, for equivalent size tires manufactured and sold by Continental Tire and installed in "other" (non-motor home) vehicle applications.

Information Requested –

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

- **Subject component(s)**: all tires manufactured by Continental Tire since January, 2000 designed to be mounted to a 22.5" diameter rim sold as either original or replacement equipment to Class "A" motor home manufacturers, including, but not limited to, sizes 275/70R22.5, 275/80R22.5, and 12R22.5.
- **Continental Tire Peer Components(s)**: all tires manufactured by Continental Tire of the equivalent size and capacity as the "subject component(s)" described above but sold as either original or replacement equipment for applications other than the Class "A" motor home application (i.e. sales complementary to, but exclusive from, the "Subject Components" described above) including, but not limited to, tire sizes 275/70R22.5, 275/80R22.5, and 12R22.5.
- **Continental Tire North America, Inc. ("Continental Tire")** : 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 Continental Tire (including all business units and persons previously referred to), who are or, in or after 2000, 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.
- **Failure Reports**: Reports from all sources including, but not limited to, warranty claims; owner, dealer, or manufacturer's complaints; and/or reports of a front tire failure caused by an abrupt loss of air, whether drivers side (left) or passenger side (right), whether confirmed or alleged, including but not limited to, (1) air loss resulting in inability of the tire to support the wheel load; (2) blow-out; (3) tire

rupture; (4) rapid deflation; (5) tread separation; (6) sidewall cracking; and the like. "Failure reports" should include reports of tire failures that Continental Tire has determined through normal and reasonable investigation of warranty claims, complaints, and/or reports, were caused by normal wear out, misuse or abuse, road debris, and/or other similar causes but should provide a short description, explanation, or other identifier that distinguishes reports due to these types of causes.

- 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 Continental Tire, 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 Continental Tire 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 Continental Tire has previously provided a document to ODI, 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 Continental Tire's response to each request, identify the source of the information and indicate the last date the information was gathered.

To the extent possible, provide the requested information in Microsoft Access or Excel 2000 electronic format.

Performance Information -

1. For each group of tires or family of tire sizes designed to be mounted to a 22.5" diameter rim (e.g. 275/70R22.5, 275/80R22.5, 12R22.5, etc.) that Continental Tire sold as original equipment to manufacturers of Class "A" motor homes since January, 2000 provide a summary that indicates:
 - (a) The number of tires in the specified size or size ranges that Continental Tire sold each year since 2000;
 - (b) the number of "failure reports" pertaining to "abrupt loss of air" (see earlier definition for complete description) for tires installed in the front vehicle position for each of the specified size or size ranges reported; and
 - (c) the failure rate for each of the specified size or size ranges reported for tires installed in the front axle position of the vehicle.

2. For each of the tire sizes or size ranges identified in response to Request No. 1, provide the equivalent or comparable information for tires sold as "Continental Tire Peer Components" (see earlier definition) i.e. original equipment manufactured and sold for applications other than Class "A" motor homes.

Product Attribute Summary Comparison -

3. List and briefly describe the significant attributes, properties, characteristics and/or considerations that Continental Tire incorporates into tires sold, installed, and/or used in Class "A" motor home applications compared to equivalent-sized tires sold into other non-motor home applications (i.e. peer vehicles using the same size tires but engaged in service other than Class "A" motor home).
4. Describe Continental Tire's current policy and design guidelines provided to original equipment vehicle manufacturers of Class "A" motor homes regarding specifying / selecting front tires to assure that there is a "reserve capacity" or "safety margin" to safely accommodate circumstances when the front tire may be subjected to under-inflation and/or overload conditions.
5. Describe Continental Tire's current policy for providing recommendations and information to owners of Class "A" motor homes equipped with Continental Tire tires regarding
 - (a) how owners should determine and maintain the tire inflation pressure for the originally-installed front tires to assure that there is adequate "reserve capacity" or "safety margin" to safely accommodate the reasonably foreseeable range of circumstances in which the front tire may be subjected to under-inflation and/or overload conditions;
 - (b) how owners should specify / select replacement front tires to assure that there is adequate "reserve capacity" or "safety margin" to safely accommodate reasonably foreseeable range of circumstances in which the front tire may be subjected to under-inflation and/or overload conditions;
 - (c) how owners should determine the appropriate front tire inflation pressure for the Continental Tire tires installed in their vehicle.

Describe all policies that Continental Tire has adopted prior to the current policy (described in response to the foregoing request) provided to vehicle manufacturers and/or owners of Class "A" recreational vehicle since January 2000 regarding recommendations intended to assure adequate tire "reserve capacity" and/or "safety margin."

Identify the time period(s) that each of the prior policies was applicable and the

reason(s) that each of the prior policies had been changed.

6. Describe Continental Tire's current policy and/or recommendations to original equipment vehicle manufacturers of Class "A" motor homes and/or vehicle owners regarding inspection and/or replacement of tires due to age.

Describe all policies that Continental Tire has adopted prior to the current policy (described in response to the foregoing request) provided to vehicle manufacturers and/or owners of Class "A" recreational vehicle since January 2000 regarding recommendations regarding inspection and/or replacement of tires due to age.

Identify the time period(s) that each of the prior policies was applicable and the reason(s) that each of the prior policies had been changed.

7. Describe Continental Tire's current policy and design guidelines for recommendations to original equipment vehicle manufacturers of Class "A" motor homes for specifying / selecting front tires based on speed rating.

Describe all policies that Continental Tire has adopted prior to the current policy (described in response to the foregoing request) provided to vehicle manufacturers and/or owners of Class "A" recreational vehicle since January 2000 regarding recommendations for specifying / selecting front tires based on speed rating.

Identify the time period(s) that each of the prior policies was applicable and the reason(s) that each of the prior policies had been changed.

This letter is being sent to Continental Tire 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.

Continental Tire's failure to respond promptly and fully to this letter could subject Continental Tire 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 Continental Tire 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, Continental Tire does not submit one or more requested documents or items of information in response to this information request, Continental Tire 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.

Continental Tire's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by June 1, 2006. Please refer to EA05-011 in Continental Tire's response to this letter. If Continental Tire finds that it is unable to provide all of the information requested within the time allotted, Continental Tire must request an extension from me at (202) 366-4933 no later than five business days before the response due date. If Continental Tire 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 Continental Tire then has available, even if an extension has been granted.

If Continental Tire 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, Continental Tire 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. Continental Tire 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 Tom Bowman of my staff at (202) 366-2583.

Sincerely,

Original Signed By
Richard P. Boyd, Chief
Medium & Heavy Duty Vehicle Division
Office of Defects Investigation