



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

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

APR 19 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephen J. Speth, Director
Vehicle Compliance & Safety Affairs
DaimlerChrysler Corporation
CIMS482-00-91
800 Chrysler Drive
Auburn Hills, MI 48236-2757

NVS-212mj1
EA06-003

Dear Mr. Speth:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has upgraded the Preliminary Evaluation (PE05-061) to an Engineering Analysis (EA06-003) to investigate allegations of front air bag crash sensor failures due to corrosion on model year (MY) 2005 and 2006 DaimlerChrysler Minivans. To assist us in our investigation, we ask that you respond to the preliminary questions set forth below.

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

- **Subject vehicles:** All MY 2005 and 2006 DaimlerChrysler Minivans (i.e., Dodge Caravan, Dodge Grand Caravan, and Chrysler Town and Country).
- **Subject components:** Front air bag crash sensors including their connectors.
- **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 their 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 2002, 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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- 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:** Any one or more of the following: alleged failure or malfunction of the subject component; unexpected illumination of the air bag warning lamp (unless it can be clearly shown that the subject component was not the cause of air bag warning lamp illumination); and allegation of reduced, or lack of, occupant protection by the frontal air bags during crashes (due to non-deployment, delayed deployment and/or improperly reduced level of air bag inflation).
 - **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 DaimlerChrysler 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 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.

The submitted information is to include, but not be limited to, all written reports or documents, transcriptions, notes, or other documentation of oral communications, and information contained in electronic or other storage media. For any oral communication, identify the date on which the communication took place and the names, positions, and employers of the parties involved, and relate the substance or provide a memorandum or transcript (if one is available) of the communication. If DaimlerChrysler cannot respond to any specific item, please state why it is unable to do so. If DaimlerChrysler is unable to supply information in any format that is specifically requested, it should contact Mr. Michael Lee of my staff at (202) 366-5236 before submitting its response.

If DaimlerChrysler claims that any information or material responsive to the following items need not be divulged to NHTSA because it is privileged, state the nature of that information or material and identify any document in which it is found by date, subject or title, and name, position title, and employing entity of the person from whom, and all persons to whom it was sent. You must also describe any such privilege that you claim, and explain why you believe it applies.

Please repeat the request verbatim above the response. After DaimlerChrysler's response, identify the source of the information and indicate the last date the information was gathered.

1. Describe and identify all vehicle tests, whether crash, sled, computer crash simulations, or otherwise, related to Federal Motor Vehicle Safety Standard (FMVSS) No. 208, which were conducted by, or for, DaimlerChrysler, and were used to develop, or to evaluate, for any reason, the frontal air bag systems in the subject vehicles. This should include, but is not

limited to, all certification tests related to FMVSS 208. For each such test, provide the following information:

- a. Test number;
 - b. Test date;
 - c. Test vehicle (state model, model year, VIN and date of manufacture);
 - d. Summary of the subject and objective of the test; and
 - e. Summary of the findings and/or conclusions resulting from the test, including but not limited to, all crash dummy injury measurements.
2. Describe and identify all other vehicle frontal crash tests not identified above that were conducted by, or for, DaimlerChrysler that were used to develop, or to evaluate, for any reason, the frontal air bag systems in the subject vehicles. This should include, but is not limited to, frontal offset and frontal oblique crash conditions, not required by FMVSS 208. For each crash test, provide the following information:
- a. Test number;
 - b. Test date;
 - c. Test vehicle (state model, model year, VIN and date of manufacture);
 - d. Summary of the subject and objective of the test; and
 - e. Summary of the findings and/or conclusions resulting from the test, including but not limited to, all crash dummy injury measurements.

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 \$16,050,000 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 May 9, 2006. Please refer to EA06-003 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 (70 Fed. Reg. 53308 (Sept. 8, 2005)), 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 "Kathleen C. DeMeter" with a stylized flourish at the end.

Kathleen C. DeMeter, Director
Office of Defects Investigation
Enforcement