



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

NOV 17 2006

400 Seventh St., 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
EA06-003

Dear Mr. Speth:

This letter is in reference to the Office of Defects Investigation's (ODI) Engineering Analysis (EA06-003) concerning frame rail-mounted front air bag crash sensor failures due to corrosion on model year (MY) 2005 and 2006 DaimlerChrysler Minivans. 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 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, mounted on the frame rails behind the front bumper.
- **DaimlerChrysler:** DaimlerChrysler Corporation (DaimlerChrysler), 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;
 - 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



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- 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 one or more subject components; illumination of the air bag warning lamp related to failure or malfunction of the subject component or from an unknown cause; and allegation of non-deployment, delayed deployment and/or improperly reduced level of air bag inflation 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 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.

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. Produce copies of all documents related to the two fatal accidents in which the frontal air bags did not deploy in the subject vehicles. DaimlerChrysler previously provided CAIR reports on the two cases with the following CAIR numbers and VIN's:
 - a. CAIR 13685428 / 2D4GP44L65 [REDACTED]
 - b. CAIR 14970721 / 2A4GP44R26 [REDACTED]
2. Furnish DaimlerChrysler's assessment of the driver's frontal air bag system performance in the September 13, 2006 NHTSA 25-mph, left 40%-offset deformable barrier crash test of a DaimlerChrysler Minivan. In this test, the left front crash sensor in the test vehicle was disconnected prior to the test. The 5th-percentile female driver dummy had a neck tension measure of 3349 N at 111 ms after impact (exceeding the 2620 N maximum allowed under FMVSS 208). This assessment must include, but is not limited to, DaimlerChrysler's assessment of the following:
 - a. The manner in which the test was conducted;
 - b. Whether the performance of the frontal air bag system in this test was consistent with the system design, and;
 - c. Any and all consequences of the disconnection of the left front crash sensor prior to the test.
3. Produce copies of communications between DaimlerChrysler and the supplier of the subject components that relate to, or may relate to, the alleged defect in the subject components. State whether any of those communications were verbal in nature and provide all documents related to these verbal communications, including, but not limited to, any notes, written transcripts, summaries, or presentations given as part of those communications.

4. Describe in detail, and produce copies of all documents related to, the frontal air bag deployment requirements or criteria when (1) the Occupant Restraint Controller (ORC) is in backup calibration mode (i.e., front crash sensor(s) has set a fault code) and (2) the ORC is in normal calibration mode (i.e., no front crash sensor fault code) in the subject vehicles.
5. Describe in detail, and furnish the design specifications related to, the front seat belt retractor modifications and front passenger air bag venting modification in mid-MY 2005 subject vehicles which were discussed in DaimlerChrysler's letter dated July 21, 2006, to ODI.
6. 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, DaimlerChrysler. 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. This includes, but is not limited to, all electronic files and hardcopies that contain the test procedures, findings, results and photographs of each test/component related to the parts return analysis program and corrosion testing. Organize the documents chronologically by action. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.

7. Provide any other information or documents not previously supplied to NHTSA by DaimlerChrysler, that DaimlerChrysler believes are relevant to this investigation, including any new findings, assessments and conclusions related to the alleged defect in the subject vehicles.

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 \$6,000 per day, with a maximum of \$16,375,000 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.

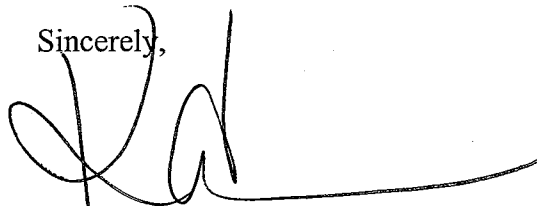
If DaimlerChrysler cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, DaimlerChrysler does not submit one or more requested documents or items of information in 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 December 22, 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,



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