

# DAIMLERCHRYSLER

DaimlerChrysler Corporation

Stephan J. Speth

Director

Vehicle Compliance & Safety Affairs

October 3, 2006

Mr. Anthony M. Cooke  
Chief Counsel  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W., Rm. 5219  
Washington, D.C. 20590

Re: Request for Confidential Treatment for Information Provided in PE06-028

Dear Mr. Cooke:

DaimlerChrysler Corporation ("DCC") is submitting information to the NHTSA Office of Defects Investigation in connection with the above-referenced proceeding. Based on a careful review of the submission, DCC has decided to request confidential treatment, pursuant to 49 C.F.R. Part 512 and Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4), for one document in the submission – an Excel spreadsheet setting forth a change-history of the subject component. Therefore, DCC is submitting the spreadsheet, this request for confidential treatment, and the certificate required by your regulations, to your office.

The information required by Part 512 is set forth below.

**A. Description of the Information (49 C.F.R. § 512.8(a))**

The information for which confidential treatment is being sought is an Excel spreadsheet setting forth a change history for the subject component.

**B. Confidentiality Standard (49 C.F.R. § 512.8(b))**

This submission is subject to the substantial-competitive-harm standard set forth in 49 C.F.R. § 512.15(b) for information that a submitter is required to provide to the agency.

**C. Justification for Confidential Treatment (49 C.F.R. § 512.8(c))**

Part 512 and FOIA Exemption 4 protect the confidentiality of information that would be likely to cause substantial competitive harm to the submitter if disclosed. *See, e.g.*, 49 C.F.R. § 512.15(b); *Nat'l Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974). FOIA Exemption 4 was enacted to prevent disclosures that would "eliminate much of the time and effort that would otherwise be required to bring to market a product competitive with the [submitter's] product." *Public Citizen Health Research Grp. v. FDA*, 185 F.3d 898, 905 (D.C. Cir. 1999). "Because competition in business turns on the relative costs and opportunities faced

by members of the same industry, there is a potential windfall for competitors to whom valuable information is released under FOIA. If those competitors are charged only minimal FOIA retrieval costs for the information, rather than the considerable costs of private reproduction, they may be getting quite a bargain. Such bargains could easily have competitive consequences not contemplated as part of FOIA's principal aim of promoting openness in government." *Worthington Compressors, Inc. v. Costle*, 662 F.2d 45, 51 (D.C. Cir. 1981). Substantial competitive harm also may result from disclosures that would reveal a firm's "operational strengths and weaknesses" to competitors. See *Nat'l Parks & Conservation Ass'n v. Kleppe*, 547 F.2d 673, 684 (D.C. Cir. 1976). The change history should be protected under these principles.

The change history reveals information about the design and manufacturing process changes to the subject component, the timing of such changes, the reasons for the changes, and the process by which such changes were made. Thus, the document reveals information about designs and design and manufacturing processes, as well as DCC lead-time and operational-capacity information, which could enable DCC's competitors to improve their own designs and manufacturing processes, and compete more effectively against DCC.

**D. Class Determination (49 C.F.R. § 512.8(d))**

The information is not subject to a Class Determination.

**E. Duration For Which Confidential Treatment Is Sought (49 C.F.R. § 512.8(e))**

Because DCC anticipates that the information will retain its competitive value indefinitely, DCC requests that the information be accorded confidential treatment permanently.

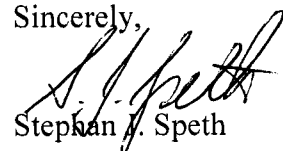
**F. Contact Information (49 C.F.R. § 512.8(f))**

Please direct all inquiries and responses to the undersigned at the address, telephone number, and email address shown on the first page of this letter.

\* \* \*

If you receive a request for disclosure of the information for which confidential treatment is being sought before you have completed your review of our request, DCC respectfully requests notification of the request(s) and an opportunity to provide further justification for the confidential treatment of this information, if warranted.

Sincerely,

  
Stephan J. Speth

cc: Kathleen DeMeter


Attachment and Enclosures

### Certificate in Support of Request for Confidentiality

I, Stephan J. Speth, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

- (1) I am DaimlerChrysler Corporation's Director, Vehicle Certification, Compliance and Safety Affairs and I am authorized by DaimlerChrysler Corporation to execute documents on behalf of DaimlerChrysler Corporation;
- (2) I certify that the information contained in the indicated document is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4);
- (3) I hereby request that the information contained in the indicated document be protected on a permanent basis;
- (4) This certification is based on the information provided by the responsible DaimlerChrysler Corporation personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside DaimlerChrysler Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief the information for which DaimlerChrysler Corporation has claimed confidential treatment has never been released or become available outside DaimlerChrysler Corporation, except for disclosures to selected suppliers and contractors under agreements to preserve the confidentiality of the information.
- (6) I make no representations beyond those contained in this certificate and in particular, I make no representations as to whether this information may become available outside DaimlerChrysler Corporation because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 3 day of October, 2006.



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Mr. Stephan J. Speth

# DAIMLERCHRYSLER

October 3, 2006

DaimlerChrysler Corporation

Stephan J. Speth

Director

Vehicle Compliance & Safety Affairs

Mr. Thomas Z. Cooper, Chief  
Vehicle Integrity Division  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, D.C. 20590

Dear Mr. Cooper:

Reference: NVS-212am; PE06-028

This document contains DaimlerChrysler Corporation's ("DCC") response to the referenced inquiry regarding alleged loss of proper headlight function on some 2002-2003 model year Dodge Neon and Chrysler Neon ("PL") vehicles. In reaching our analysis and conclusions, and by providing the information contained herein, DCC is not waiving its claim to attorney work product and attorney-client privileged communications.

Since the opening of PE06-028 approximately 7 weeks ago, DCC has completed a thorough investigation and analysis into the potential causes for complaints of the alleged condition in the subject vehicles.

With a subject population of nearly 250,000 vehicles in the field for 3 to 5 years, there is only one report of headlights described as going off unexpectedly and staying off while driving (shortly after the owner performed headlight maintenance himself). Furthermore, there are no accidents, injuries, fatalities, or property damage reported as a result of the alleged condition. DCC believes the reports portray the possibility of lighting affected in a way that may influence customer satisfaction, but does not pose an unreasonable risk to motor vehicle safety.

Sincerely,



Stephan J. Speth

Attachment and Enclosures

1. **State, by model and model year, the number of the subject vehicles DCC has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by DCC, state the following:**
  - a. **Vehicle identification number (VIN);**
  - b. **Make;**
  - c. **Model;**
  - d. **Model Year;**
  - e. **Date of manufacture;**
  - f. **Date warranty coverage commenced; and**
  - g. **The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).**

**Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."**

- A1. The MY 2002 and 2003 DaimlerChrysler Corporation ("DCC") Dodge Neon and Chrysler Neon are all referred to as the PL model. The total number of subject 2002 and 2003 model year PL vehicles manufactured for the US market is 247,937.

The detailed response that lists the market production data is provided in Enclosure 1 as a Microsoft Access 2000 table, titled "PRODUCTION DATA."

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**NOTE: UNLESS OTHERWISE INDICATED IN THE RESPONSE TO ANY OF THE QUESTIONS, THIS DOCUMENT CONTAINS INFORMATION THROUGH AUGUST 10, 2006, THE DATE THE INFORMATION REQUEST WAS RECEIVED.**

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2. **State the number of each of the following, received by DCC, or of which DCC is otherwise aware, which relate to, or may relate to, the alleged defect in the subject 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. **Reports involving a fire, 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;**
- e. Property damage claims;**
  - f. Third-party arbitration proceedings where DCC is or was a party to the arbitration; and**
  - g. Lawsuits, both pending and closed, in which DCC is or was a defendant or codefendant.**

**For subparts "a" through "e" 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 "c" through "g," 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 "f" and "g," 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. The following summarizes the non-privileged reports identified by DCC that relate to, or may relate to, the alleged condition in the subject vehicles. DCC has conducted a reasonable and diligent search of our normal repositories of such information.

- a. There are a total of 139 consumer complaints (VOQ or CAIR or Legal Matter), which include 10 NHTSA reports (VOQs), 122 complaints in the DCC system (CAIRs) and 7 Legal Matters that may relate to the alleged condition. Due to some complainants providing more than 1 input, there are 119 unique VINs associated with the 139 complaints.

Of the 10 VOQs received from NHTSA, only 9 contained a valid and complete VIN.

- b. There are 50 field reports that contain 40 unique VINs.

See Table below for breakdown of VIN by report type. Each box within double borders represents the number of unique VINs that had that type of report associated with it. For example, the cell in the table that lies in the Field Report column and the CAIR row indicates that 1 VIN had both a Field Report report and a CAIR report that may be related to the alleged condition.

Totaling a single row across the columns yields the total number of that type of report. There are 10 VOQ reports, 122 CAIR reports, 50 Field Reports and 7 legal claims. The total number of reports is  $10 + 122 + 50 + 7 = 189$ . The number of unique VINs is established by summing the total of cells within the double border area. The total of unique VINs from all data sources including legal claims/lawsuits is 159.

TABLE: Number of Unique VINs / Number of Total Reports

	VOQ	CAIR	FIELD	LEGAL	CAIR-FIELD	CAIR-LEGAL	FIELD-LEGAL	Addit. FIELD	Addit. CAIR	TOTALS
VOQ	8	2	0	0	0	0	0	-	-	10
CAIR	2	102	1	3	-	-	1	-	13	122
FIELD	0	1	39	0	-	1	-	9	-	50
LEGAL	0	3	0	3	1	-	-	-	-	7
VOQ-CAIR	-	-	0	0					<b>TOTAL REPORTS</b>	<b>189</b>
FIELD-LEGAL	0	1	-	-						
CAIR-FIELD-LEGAL	0	-	-	-						

Total number of reports = sum of far right column = 189  
 Unique VINs = sum of cells in double border area = 159

- c. There are 0 reports alleging crash, 0 reports of injury, and 0 reports of fatality that are responsive to this inquiry.
- d. There are 2 reports of an alleged fire. There are no claims of death or injury resulting from a fire. DCC was provided access to investigate the alleged fire for the vehicle from only one of the claims. The claims of open flame could not be verified in either complaint.  
  
 The vehicle with a claim of alleged fire referenced in VOQ 10103382 was not made available to DCC for inspection. There is no known police or fire report associated with this claim.
- e. There are 0 reports that allege property damage that are responsive to this inquiry.
- f. There are 0 third-party arbitration proceedings involving DCC that are responsive to this inquiry.
- g. There are 7 legal matters (consisting of 3 claims and 4 lawsuits) involving DCC, or notices received by DCC, that are responsive to the condition alleged in this investigation ("failure or malfunction of the multifunction switch, its wiring harness, and/or the harness connector").

Of the 4 lawsuits and 3 legal claims, there were no allegations of complete headlight failure. There was 1 allegation of flickering headlights. Additionally, one of the vehicles involved in a legal claim was modified with aftermarket, non-OEM approved high-intensity headlights.

The following is a breakdown of the reports of the vehicles identified that may be related to the alleged condition.

DCC has determined that 8 of the vehicles have been modified with non-OEM approved high-intensity headlights. These high intensity headlights typically draw more electrical current than standard OEM bulbs, thus increasing the potential for the alleged condition to occur.

There were 10 vehicles with reports of affected high beam or low beam headlight operation. In these reports, only one of these headlight functions was affected. For example, the operator claims that the high beams would not function, while the low beam headlights operated in a normal manner. Therefore, some form of headlight illumination is always present.

Another 14 of the vehicles had reports related to intermittent function when turning the exterior lighting on. In each of these reports, the exterior lighting operation returned to its expected state.

There were 26 vehicles with reports of flickering exterior lights. Generally, the "flickering" was described as momentary changes in exterior lighting intensity. This condition, while noticeable, was not described in a manner that would indicate visibility was affected in any significant way. Furthermore, a number of the reports related to descriptions of "flickering" while starting the vehicle. DCC believes this latter condition to be normal voltage variation during engine cranking and not related to the alleged condition.

Another 55 vehicles had reports relating to subject component replacement but did not reference exterior lighting function. In addition to the headlights, the multifunction switch allows the operator to control other lighting functions including the interior lighting and intensity, the hazard lights, and fog lamps (if equipped). DCC has no way of knowing if these reports related specifically to headlight operation.

The remaining 46 vehicles had reports that reference loss of lighting function. Not all of the reports in this category are related to headlight operation. Some reports reference loss of lighting but do not specify exterior lighting. Another portion of these reference non-headlight related exterior lighting, including fog lamp operation.



Out of the 159 vehicles, there was only one report which stated the headlights went out while driving; however, this report references the owner performing headlight maintenance himself just prior to the alleged incident. In general, the reports portray a variety of possible effects on lighting that may affect customer satisfaction, but are not safety defects.

- 3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:**
- a. DC's file number or other identifier used;**
  - b. The category of the item, as identified in Request No. 2 (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 a fire is alleged;**
  - k. Whether property damage is alleged;**
  - l. Number of alleged injuries, if any; and**
  - m. Number of alleged fatalities, if any.**

**Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."**

- A3. The detailed response that lists the customer complaints, field reports, and legal claims and lawsuits from Request No. 2, as requested in Items a. through m. is provided in Enclosure 2 as a Microsoft Access 2000 table, titled "REQUEST NUMBER TWO DATA."
- 4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method DCC used for organizing the documents.**
- A4. Copies of all documents within the scope of Request 2 are provided in Enclosure 3 – FIELD DATA, on the enclosed CD-ROM.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by DCC to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, 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 "WARRANTY DATA."

A5.

Labor Operation Code (LOP)	2002 MY Warranty Claims	2003 MY Warranty Claims
088087	649	521
089090	151	188

It is often not possible to determine whether each particular warranty claim is in any way related to the alleged condition. There are other random issues, not related to this alleged condition, that require replacement of subject components. DCC has concluded that warranty data cannot be used to determine any trend related to the alleged condition.

The detailed response that lists the warranty claims is provided in Enclosure 4 as a Microsoft Access 2000 table, titled "WARRANTY DATA."

6. Describe in detail the search criteria used by DCC to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by DCC on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that DCC offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

A6. The search criteria used by DCC to identify claims for Request No. 5 can be found in the chart below:

Description of Repair	Labor Operation
Switch; multifunction	088087
Wiring harness; instrument panel	089090

Failure Code	Description
14	Short or open
18	Circuit Open
48	Grounded or Shorted
83	Connection Loose
D7	Beam Selection Defect
UC	Uncodable
X2	Split; Cut or Torn
X6	Terminals Damaged

The standard warranty offered on the subject vehicles was 36 month / 36,000 miles. There were upgrade packages to extended warranty coverage options related specifically to the subject components. These claims are included in the warranty data provided. Additionally, owners may have purchased additional warranty coverage through third-party providers not affiliated with DCC. This warranty data is not available to DCC and is not included in this response.

**7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that DCC has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that DCC is planning to issue within the next 120 days.**

A7. There are no service, warranty, and/or other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that DCC has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. There are two "Tech Tips" planned to be released in the next 120 days that will instruct service personnel that a wiring kit is available for replacing the multifunction switch mating connector without replacing the entire instrument panel (I/P) wiring harness. A draft copy of these documents is in Enclosure 5 - DEALER COMMUNICATIONS.

**8. 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, DCC. 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. Organize the documents chronologically by action.**

A8. A comprehensive Design of Experiment (DOE) was performed to assess design enhancements to the multifunction switch. This DOE was performed by the multifunction switch supplier (Methode Electronics) at their engineering and test center. The test report is being submitted as Enclosure 6 – ASSESSMENTS. Note that the term "OCR" referred to several times in the document means "open circuit resistance."

- a. PL Multifunction Switch Testing was performed by Methode Electronics evaluating silver plating, grease application method, contact spacing, and spring contact force.
  - b. The actual start date of this action is unknown.
  - c. The end date was September 19, 2002.
  - d. The purpose of this action was to assess design enhancements to the multifunction switch.
  - e. Methode Electronics was responsible for designing, conducting, and analyzing this action at the request of DCC Engineering. Results and recommendations were provided to DCC Engineering for review and approval.
  - f. A brief summary of the results of the assessment are contained in the enclosure referenced above.
- 9. Describe all modifications or changes made by, or on behalf of, DCC in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:**
- a. **The date or approximate date on which the modification or change was incorporated into vehicle production;**
  - b. **A detailed description of the modification or change;**
  - c. **The reason(s) for the modification or change;**
  - d. **The part numbers (service and engineering) of the original component;**
  - e. **The part number (service and engineering) of the modified component;**
  - f. **Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;**
  - g. **When the modified component was made available as a service component; and**
  - h. **Whether the modified component can be interchanged with earlier production components.**
- Also, provide the above information for any modification or change that DCC is aware of which may be incorporated into vehicle production within the next 120 days.**
- A9. A detailed summary of design change information for the subject vehicle subject components is being submitted as Enclosure 7 – CONFIDENTIAL to the Office of the Chief Counsel, under separate cover with a request for confidential treatment of information.

**10. Produce one of each of the following:**

- a. Exemplar samples of each design version of the subject component;**
- b. Field-returned samples of the subject component exhibiting the subject failure mode; and**
- c. Any kits that have been released, or developed, by DCC for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.**

A10.

- a. Exemplar samples of the multifunction switch are being provided for both design versions: base model and fog lamp equipped model. A production version of each part and a service version of part are provided. Note that production and service are identical with the exception of the wiper control stalk on the production part. An exemplar sample of one wiring harness is being provided. Pursuant to an agreement with Ali Motamedamin of NHTSA ODI, only the multifunction switch connector portion of the harness is being provided.
- b. A field returned sample is being provided for the multifunction switch and connector. DCC was able to acquire the multifunction switch and corresponding wiring harness connector from one vehicle. This vehicle was allegedly experiencing no fog lamp operation, while headlight operation remained normal. This vehicle had over 100,000 miles at the time of repair.
- c. Wiring service kit (DCC Part Number 05183442AA) is being provided. This kit is a jumper harness to replace the multifunction switch connector without having to replace the entire I/P wiring harness.

**11. State the number of each of the following that DCC has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (*including the cut-off date for sales, if applicable*):**

- a. Subject component;**
- b. Any kits that have been released, or developed, by DCC for use in service repairs to the subject component/assembly.**

**For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other vehicles of which DCC is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.**

- A11. The part sales information is included in Enclosure 8 – PART SALES. It is impossible to determine what prompted these part sales. There are various

circumstances that are not related to this alleged condition, yet still require sales/replacement of the subject components.

A wiring kit was introduced in November 2005 that provided a pigtail attachment so that the multifunction switch connector could be replaced without requiring an entire I/P wiring harness replacement.

The Chrysler Neon for international markets (designated as P2) uses the same service multifunction switch as the subject vehicle. No other DCC vehicles utilize this multifunction switch for any make or model year.

DCC has concluded that part sales data cannot be used to determine any trend related to the alleged condition.

**12. Provide an electrical circuit diagram describing how the subject components operate to allow headlight illumination.**

A12. The electrical circuit diagrams are included in Enclosure 9 – CIRCUIT DIAGRAMS.

**13. Furnish DCC's assessment of the alleged defect in the subject vehicle, including:**

- a. The causal or contributory factor(s);
- b. The failure mechanism(s);
- c. The failure mode(s);
- d. The risk to motor vehicle safety that it poses;
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
- f. The reports included with this inquiry.

A13. With a subject vehicle population of nearly 250,000 vehicles in the field for 3 to 5 years, there is only one report of headlights described as going off unexpectedly and staying off while driving (shortly after the owner performed headlight maintenance himself). Furthermore, there are no accidents, injuries, fatalities, or property damage reported as a result of the alleged condition. DCC believes the reports portray the possibility of lighting affected in a way that may influence customer satisfaction, but does not present a safety defect.

For a small fraction of the subject vehicle population, a condition has been exhibited when electrical current passes through the multifunction switch contacts under conditions where a temporary higher resistance is present. This temporary higher resistance is due to the dissipation of the electrical grease resulting from prolonged use. The contact plating material was changed from copper to silver starting in May 2003 to minimize grease dissipation.

Increased electrical current appears to be a factor in the reports. There are a significant number of consumer reports and warranty claims that reference use of high-intensity, non-OEM approved, headlights that typically require more electrical current.

Field experience indicates this condition will subside and is contained to the multifunction switch and connector. The multifunction switch housing material is molded from a Dupont Zytel material. Material properties are included in Enclosure 10 – ZYTEL PROPERTIES.

Field experience suggests that the operator will become aware of the condition in various ways including intermittent or flickering headlight operation, high/low beam operation, or fog lamp functionality. This indicates that the operator would have sufficient warning in order to take proper corrective repair action should the headlights eventually become inoperable. For this reason and others stated above, DCC believes the alleged condition does not present an unreasonable risk to motor vehicle safety.